

Permit Reference Guide

2026-2031 Nationwide Permits

Nationwide Permits expire March 14, 2031

404 USACE Nationwide Permits		Corresponding 401 Water Quality Certification			
Start Here Conditions Applicable to ALL Nationwide Permits:	404 Written Notification [PCN] Required when: Situation or Impacts:		401 Written Notification ["Certificate of Coverage"] Required Situation or Impacts		Maximum Threshold/ Individual Cert Required if:
		<ul style="list-style-type: none"> - ESA Biological Conclusion other than No Effect (unless programmatic) (NWPC) - Contains/ Drains to Critical Habitat - National Wild and Scenic River (Nat) - Work in SAV - Work in Primary Nursery Areas (PNA) - Work in WNC Waters/Corridors [SAW] - Section 408 Civil Works Review Required. [Nat] 	<ul style="list-style-type: none"> - Streambed: Loss of > 0.02 acre (SAW) - Streambed: Temp. Access Fill (not de-watering) > 0.02 acre (SAW) - Wetlands: Temporary Impacts > 0.1 acre (SAW) - *Maximum NWP Threshold: > 0.05 ac of streambed loss* (SAW) 		
3 / 8562 Maintenance	<i>no additional situations.</i>	<ul style="list-style-type: none"> - In TroutWS: All stream impacts (minus temp dewatering) > 0.008 ac. - In TroutWS: Streambed Temp Dewatering: > 0.02 ac - In TroutWS: Any impacts to wetlands - In TroutWS: Bridge to Culvert. - In TroutWS: Construction between Oct 15-Apr 15. 	<ul style="list-style-type: none"> - Impacts from excavation or dredging other than for preparation for installing permanent fill or structures. - Impacts to buffers unless "Exempt" or "Deemed Allowable" - Any stream restoration or relocation (see exceptions) - Complete dewatering/ drawdown of pond/dam maintenance/ removal (see exceptions). - Any impacts to SAV or significant shellfish resources identified by DMF 	<p><u>Streams:</u> Total temporary & permanent impacts > 150 lf</p> <p><u>Wetlands and Open Water:</u> Total temporary & permanent impacts ≥ 0.1 acre</p>	<p><u>Streams:</u> Total Permanent impacts > 300 lf</p> <p><u>Wetlands and Open Water:</u> Total permanent impacts ≥ 0.5 acre</p> <ul style="list-style-type: none"> - Mitigation by Permittee - Impacts to Coastal Wetlands.
6 / 8565 Survey Activities	<i>Note: Also authorizes temporary work pads (not roads) not to exceed > 0.1 acre.</i>	<i>No specific conditions for this permit. Above values applicable to all NWP's applies.</i>	<i>No specific conditions for this certification</i>	<i>No specific conditions for this certification</i>	<i>No specific conditions for this certification</i>
12 / 8567 Oil & Gas Utility Line 57 / 8598 Electric Utility and Telecommunications 58 / 8599 Utility Line Activities for Water and Other Substances	Work in Section 10 Waters.	<p>Notification Required: Loss of > 0.1 acre of WOTUS (Nat)</p> <p>Maximum Threshold: Loss of > 0.5 acre of WOTUS (Nat)</p>	<ul style="list-style-type: none"> - Impact to Tr, ORW, HWQ, PNA, SA, WS-I, II, NC or National W&SR. - Impacts to Coastal Wetlands - Impact to Buffers (unless "Exempt" or "Deemed Allowable"). 	<p><u>Streams:</u> Any permanent impacts.</p> <p><u>Wetlands & Open Waters:</u> Total permanent impacts ≥ 0.1 acre</p>	<p><u>Streams:</u> Total Permanent impacts > 500 lf for entire project or 300 lf to any stream channel.</p> <p>Total Temporary impacts > 1,000 lf for entire project.</p> <p><u>Wetlands & Open Waters:</u> Total permanent impacts ≥ 0.5 acre</p> <ul style="list-style-type: none"> - Mitigation by Permittee
13 / 8568 Bank Stabilization	<i>no additional situations.</i>	<ul style="list-style-type: none"> - > 500 lf of stream - In TroutWS: Streambed Temp Dewatering: >0.02 ac - In TroutWS: > 100 lf - In TroutWS: Construction between Oct 15-Apr 15. 	<ul style="list-style-type: none"> - Coastal Wetlands. - Impacts to Buffers (unless "Exempt or "Deemed Allowable"). 	<ul style="list-style-type: none"> - > 150' of riprap - > 500' of natural protection - If Trout (Tr) Waters: ≥ 100 lf 	<p><u>Streams:</u> Total temp. & perm. impacts > 500 lf</p> <p><u>Wetlands & Open Waters:</u> Total temp.& perm. impacts ≥ 0.5 ac</p>
14 / 8569 Linear Transportation	<i>no additional situations.</i>	<p><u>Wetlands:</u> Permanent Loss > 0.1 [Nat]</p> <p>Maximum Threshold: Loss of > 0.5 acre of WOTUS (Nat)</p> <ul style="list-style-type: none"> - In TroutWS: All stream impacts (minus temp dewatering) > 0.007 ac. - In TroutWS: Streambed Temp Dewatering: >0.02 ac - In TroutWS: Any impacts to wetlands - In TroutWS: Bridge to Culvert. - In TroutWS: Construction between Oct 15-Apr 15. 	<ul style="list-style-type: none"> - Impact to ORW, HWQ, PNA, SA, WS-I, II, NC or National W&S River. - Permanent impact to Tr waters or wetlands adjacent to Tr waters. - Impacts to Buffers (unless "Exempt or "Deemed Allowable"). - Any permanent impact to coastal wetlands. - Any impacts to streams or wetlands from excavation or dredging (see exception) - Any stream restoration or relocation (see exception) 	<p><u>Streams:</u> Total temp.& perm. impacts > 150 lf</p> <p><u>Wetlands:</u> Total temp. & perm. impacts ≥ 0.1 acre</p> <p><u>Open water:</u> Total temp. & perm. impacts ≥ 0.5 acre</p>	<p><u>Streams:</u> Total Permanent impacts > 300 lf</p> <p><u>Wetlands and Open Water:</u> Total permanent impacts ≥ 0.5 acre</p> <ul style="list-style-type: none"> - Mitigation by Permittee
18 / 8572 Minor Discharges	<i>no additional situations.</i>	<p><u>Maximum Threshold for use:</u></p> <ul style="list-style-type: none"> - Fill or discharges of > 25 yd³ [Nat] - Loss of > 0.1 acre of Waters of the US [Nat] <p><u>PCN Required:</u></p> <ul style="list-style-type: none"> - In TroutWS: > 10 cy below ORW. - In TroutWS: >0.02 ac for temp dewatering. - In TroutWS: Construction between Oct 15-Apr 15. 	<ul style="list-style-type: none"> - Impact to Trout, ORW, HWQ, PNA, SA, WS-I, II, NC or National W&S River - Impacts to Buffers (unless "Exempt or "Deemed Allowable"). - Any permanent impact to coastal wetlands. - Any impacts to streams or wetlands from excavation or dredging (see exception). - Any stream restoration or relocation (see exception). 	<p><u>Streams:</u> Total temp. & perm. impacts > 150 lf</p> <p><u>Wetlands:</u> Total temp. & perm. impacts ≥ 0.1 acre</p> <p><u>Open water:</u> Total temp. & perm. impacts ≥ 0.5 acre</p>	<p><u>Streams:</u> Total Permanent impacts > 300 lf</p> <p><u>Wetlands:</u> Total permanent impacts ≥ 0.5 acre</p> <p><u>Open Waters:</u> Total permanent impacts ≥ 0.5 acre</p> <ul style="list-style-type: none"> - Mitigation by Permittee
33 / 8583 Temp Const Access & De-watering	Work in Section 10 Waters.	<i>No specific conditions for this permit. Above values applicable to all NWP's applies.</i>	<ul style="list-style-type: none"> - Impact to Trout, ORW, HWQ, PNA, SA, WS-I, II, NC or National W&S River - Impacts to Buffers (unless "Exempt or "Deemed Allowable"). - Any permanent impact to coastal wetlands. - Any impacts to streams or wetlands from excavation or dredging (see exception). - Any stream restoration or relocation (see exception). 	<p><u>Streams:</u> Total temp. & perm. impacts > 150 lf</p> <p><u>Wetlands:</u> Total temp. & perm. impacts ≥ 0.1 acre</p> <p><u>Open water:</u> Total temp. & perm. impacts ≥ 0.5 acre</p>	<p><u>Streams:</u> Total Permanent impacts > 300 lf</p> <p><u>Wetlands or Open Waters:</u> Total permanent impacts ≥ 0.5 acre</p>

2025 - 2030 Regional General Permits

RGP 31 and 50 expire May 25, 2030

Permit	Activity	PCN Required/ Maximum thresholds	401 GC
RGP 31 DWR GC 7678	Widening Projects in Merger	PCN always required no maximum thresholds	401 is "for the record only" for both RGP 31 & 50 unless:
			Stream Classification or Buffers
			<p>Any Permanent Impacts to streams or open waters designated as Trout, ORW (SAV), HQW (PNA), SA, WS-I, WS-II, NC or a National Wild & Scenic River.</p> <p>Any impacts to subject water bodies and/or state regulated riparian buffers in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman Lake, Jordan Lake or Goose Creek Watersheds, unless:</p> <ul style="list-style-type: none"> i. The activities are listed as "EXEMPT" or "DEEMED ALLOWABLE" or ii. A Buffer Authorization Certificate is issued by the NC Division of Coastal Management.
			Stream Impacts:
GP 50 DWR GC 7679	(A)(1) Road Widening (A)(2) Construction, maintenance and/ or repair of bridges.	PCN always required Streams: 500 lf per crossing Wetlands: 1 acre per crossing	<p>Total permanent impacts to intermittent and/or perennial streams greater than 300 lf per stream.</p> <p>Excavation or Dredging: Any impacts to streams from excavation or dredging other than excavation that is conducted as preparation for installing permanent fill or structures.</p> <p>Restoration or Relocation: Any stream restoration or relocation (other than stream relocations that are conducted for the purpose of proper culvert installation, alignment, protection, repair or maintenance where the relocation length is equal to or less than 150 feet in length and the relocated stream is designed and installed based on current natural channel techniques).</p>
			Wetland Impacts:
	(B)(1) Improvement of interchanges or intersections (B)(2) construction of interchanges or intersections over, or on, existing roads.	PCN always required Streams: 1,000 lf (total project impacts) Wetlands: 2 acres in Piedmont/Mountains, 3 acres in Coastal plain (total project impacts)	<p>Total permanent impacts to wetlands equal to or greater than 0.1 acre.</p> <p>Total temporary impacts to wetlands equal to or greater than 0.5 acre.</p> <p>Any permanent impacts to coastal wetlands equal to or greater than 750 square feet.</p> <p>If ANY of these conditions are met, an Individual Water Quality Certification will be required.</p>

Linear Feet to Area Reference	Mitigation Notes and Fees	USACE Trout Watershed Map
Link to USACE Nationwide Permits	Link to DWR's WQ Certs	Link to DWR's Forms Page

Quick Linear Feet to Area Reference

What is > 0.02 acre of stream?
0.02 acre = 871.2 square feet

Stream Width	Stream Impact Length to exceed 0.02 acre	Stream Width	Stream Impact Length to exceed 0.02 acre
1	871	31	29
2	436	32	28
3	291	33	27
4	218	34	26
5	175	35	25
6	146	36	25
7	125	37	24
8	109	38	23
9	97	39	23
10	88	40	22
11	80	41	22
12	73	42	21
13	68	43	21
14	63	44	20
15	59	45	20
16	55	46	19
17	52	47	19
18	49	48	19
19	46	49-51	18
20	44	52-54	17
21	42	55-58	16
22	40	59-62	15
23	38	63-67	14
24	37	68-72	13
25	35	73-79	12
26	34	80-87	11
27	33	88-96	10
28	32	97-108	9
29	31	109-124	8
30	30	125-145	7
		146-174	6
		175-217	5

What is > 0.05 acre of stream?
0.05 acre = 2,178 square feet

Stream Width	Stream Impact Length to exceed 0.05 acre	Stream Width	Stream Impact Length to exceed 0.05 acre
1	2,178	31	71
2	1,090	32	69
3	727	33	67
4	545	34	65
5	436	35	63
6	364	36	61
7	312	37	59
8	273	38	58
9	243	39	56
10	218	40	55
11	199	41	54
12	182	42	52
13	168	43	51
14	156	44	50
15	146	45	49
16	137	46	48
17	129	47	47
18	122	48	46
19	115	49	45
20	109	50	44
21	104	51	43
22	100	52-53	42
23	95	54	41
24	91	55	40
25	88	56-57	39
26	84	58	38
27	81	59-60	37
28	78	61-62	36
29	76	63-64	35
30	73	65-66	34
		67-68	33
		69	32

What is > 0.02 ac for a work pad?
0.02 acre = 871.2 square feet

Work Pad Length x Width	Temporary Workpad Area to exceed 0.02 acre
20 x 44	0.0202
25 x 35	0.0201
30 x 30	0.0207
35 x 25	0.0201
40 x 22	0.0202

What is > 0.007 ac of stream?
0.007 acre = 304.9 square feet

Stream Width (lf)	Stream Impact Length to exceed 0.007 acre
1	302
2	151
3	101
4	76
5	61
6	51
7	44
8	38
9	34
10	30
11	27
12	25
13	22
14	22
15	21

[Return to Tools](#)

Mitigation Notes:

[Link to DMS Fee Schedule](#)

- NCDOT pays for mitigation to the nearest 0.01 acre.

401 Mitigation Required at 1:1 when

> 300 lf of perennial stream or

> 1 acre of wetland

- While NC DWR can only request a maximum of 1:1 stream mitigation, the mitigation method is required to be of restoration or better (i.e. not preservation). In the rare instance that DWR mitigation exceeds the Corps, we must specify/separate in the notes of the DMS request the DWR mitigation values (lf) vs USACE mitigation values (lf).

- DWR Mitigation threshold increased from 150' to 300' via 2017 Senate Bill 131, Section 3.13(b)"
'Except as required by federal law, the Department of Environmental Quality shall not require mitigation for losses of 300 linear feet or less of stream bed.

- As Bank Stabilization is not a loss of water, it is not additive to the 300' threshold.