

Permitting Changes resulting from the current Waters of the US (WOTUS) Rule

Effective	Entity	Permits Impacted	Change Description
In Effect. Reinstated April, 2022	NCDWR	All 401 Certifications	The federal rule requires that all project proponents submit a Pre-Filing Meeting Request to the certifying authority at least 30 days prior to submitting a Section 401 Water Quality Certification request.
In Effect March, 2022	NCDWR	<ul style="list-style-type: none"> • Individual Permits • Written 401 Certifications for all Nationwide Permits 	Project is subject to a 30-day DWR public comment period.
In Effect March, 2022	USACE	<ul style="list-style-type: none"> • Individual Permits • Written 401 Certifications for all Nationwide Permits 	30-day EPA review AFTER the 401 is issued and BEFORE the 404 can be issued.