



Pre-Construction Notification (PCN) Application Form

For Section 404 and/or Section 10 Nationwide, Regional and General Permits, Section 401 General Water Quality Certifications, and Riparian Buffer and Watershed Buffer Rules

This form is to be used for projects qualifying for any of the U.S. Army Corps of Engineers' (USACE) Nationwide, Regional or General Permits as required by Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act, and for the North Carolina Division of Water Quality's (DWQ) associated General 401 Water Quality Certifications. This form is also to be used for any project requiring approval under any Riparian Buffer Rules implemented by the N.C. Division of Water Quality. This form should **not** be used if you are requesting an Individual 404 Permit or Individual 401 Water Quality Certification. The USACE Individual Permit application form is available online at http://www.saw.usace.army.mil/wetlands/Perm_app.htm.

The USACE is the lead regulatory agency. To review the requirements for the use of Nationwide, Regional or General permits, and to determine which permit applies to your project, please go to the USACE website at <http://www.saw.usace.army.mil/wetlands/regtour.htm>, or contact one of the field offices listed on page 3 of this application. The website also lists the responsible project manager for each county in North Carolina and provides additional information regarding the identification and regulation of wetlands and waters of the U.S.

The DWQ issues a corresponding Certification (General or Individual), and cannot tell the applicant which 401 Certification will apply until the 404 Permit type has been determined by the USACE. Applicants are encouraged to visit DWQ's 401/Wetlands Unit website at <http://h2o.enr.state.nc.us/ncwetlands> to read about current requirements for the 401 Water Quality Certification Program and to determine whether or not Riparian Buffer Rules are applicable. The applicant is also advised to read the full text of the General Certification (GC) matching the specific 404 Permit requested. In some cases, written approval for General Certifications is not required, provided that the applicant adheres to all conditions of the GC. Applicants lacking access to the internet should contact DWQ's Central Office in Raleigh at (919) 733-1786.

Trout Waters Coordination - Special coordination with the North Carolina Wildlife Resources Commission (NCWRC) is required for projects occurring in any of North Carolina's twenty-five counties that contain trout waters. In such cases, the applicant should contact the appropriate NCWRC regional coordinator (listed by county on page 4 of this application) prior to submittal of the application.

Coastal Area Management Act (CAMA) Coordination - If the project occurs in any of North Carolina's twenty coastal counties (listed on page 4) the applicant should contact the North Carolina Division of Coastal Management (DCM). DCM will determine whether or not the project is within a designated Area of Environmental Concern, in which case DCM will act as the lead permitting agency. In such cases, DCM will require a CAMA Permit and will coordinate the 404/401 Permits.

The applicant may also choose to coordinate with the United States Fish and Wildlife Service to ensure that the proposed project will have no impact upon any endangered or threatened species or critical habitat as regulated by the Endangered Species Act, and the State Historic Preservation Office, North Carolina Department of Cultural Resources to ensure that the proposed project will have no impact upon any properties listed or eligible for listing on the National Register of Historic Places. Compliance with these regulations is required to be eligible for any Department of the Army permit. The addresses for both agencies are listed on page 3 of this application.

USACE Permits - Submit one copy of this form, along with supporting narratives, maps, data forms, photos, etc. to the applicable USACE Regulatory Field Office. Upon receipt of an application, the USACE will determine if the application is complete as soon as possible, not to exceed 30 days. This PCN form is designed for the convenience of the applicant to address information needs for all USACE Nationwide, Regional or General permits, as well as information required for State authorizations, certifications, and coordination. Fully providing the information requested on this form will result in a complete application for any of the USACE Nationwide, Regional or General permits. To review the minimum amount of information that must be provided for a complete PCN for each USACE Nationwide permit, see Condition 13, 65 Fed. Reg. 12893 (March 9, 2000), available at <http://www.saw.usace.army.mil/wetlands/nwpfinalFedReg.pdf>. Processing times vary by permit and begin once the application has been determined to be complete. Please contact the appropriate regulatory field office for specific answers to permit processing periods.

401 Water Quality Certification or Buffer Rules - All information is required unless otherwise stated as optional. Incomplete applications will be returned. Submit **seven** collated copies of **all** USACE Permit materials to the Division of Water Quality, 401/Wetlands Unit, 1650 Mail Service Center, Raleigh, NC, 27699-1650. If written approval is required or specifically requested for a 401 Certification, then a non-refundable application fee is required. In brief, if project impacts include less than one acre of cumulative wetland/water impacts **and** less than 150 feet cumulative impacts to streams, then a fee of \$200 is required. If either of these thresholds is exceeded, then a fee of \$475 is required. A check made out to the North Carolina Division of Water Quality, with the specific name of the project or applicant identified, should be stapled to the front of the application package. For more information, see the DWQ website at <http://h2o.ehnr.state.nc.us/ncwetlands/fees.html>. The fee must be attached with the application unless the applicant is a federal agency in which case the check may be issued from a separate office. In such cases, the project must be identifiable on the U.S. Treasury check so that it can be credited to the appropriate project. If written approval is sought solely for Buffer Rules, the application fee does not apply, and the applicant should clearly state (in a cover letter) that only Buffer Rule approval is sought in writing. Wetlands or waters of the U.S. may not be impacted prior to issuance or waiver of a Section 401 Water Quality Certification. Upon receipt of a complete application for a 401 Certification, the Division of Water Quality has 60 days to prepare a written response to the applicant. This may include a 401 Certification, an on-hold letter pending receipt of additional requested information, or denial.

US Army Corps Of Engineers Field Offices and County Coverage

Asheville Regulatory Field Office
 US Army Corps of Engineers
 151 Patton Avenue
 Room 208
 Asheville, NC 28801-5006
 Telephone: (828) 271-7980
 Fax: (828) 281-8120

Alexander	Caldwell	Haywood	McDowell	Swain
Alleghany	Catawba	Henderson	Mecklenburg	Transylvania
Ashe	Cherokee	Iredell	Mitchell	Union
Avery	Clay	Jackson	Polk	Watauga
Buncombe	Cleveland	Lincoln	Rowan	Yancey
Burke	Gaston	Macon	Rutherford	
Cabarrus	Graham	Madison	Stanley	

Raleigh Regulatory Field Office
 US Army Corps Of Engineers
 6508 Falls of the Neuse Road
 Suite 120
 Raleigh, NC 27615
 Telephone: (919) 876-8441
 Fax: (919) 876-5823

Alamance	Franklin	Nash	Surry
Caswell	Forsyth	Northampton	Vance
Chatham	Granville	Orange	Wake
Davidson	Guilford	Person	Warren
Davie	Halifax	Randolph	Wilkes
Durham	Johnston	Rockingham	Wilson
Edgecombe	Lee	Stokes	Yadkin

Washington Regulatory Field Office
 US Army Corps Of Engineers
 Post Office Box 1000
 Washington, NC 27889-1000
 Telephone: (252) 975-1616
 Fax: (252) 975-1399

Beaufort	Currituck	Jones	Pitt
Bertie	Dare	Lenoir	Tyrrell
Camden	Gates	Martin	Washington
Carteret*	Green	Pamlico	Wayne
Chowan	Hertford	Pasquotank	
Craven	Hyde	Perquimans	*Croatan National Forest Only

Wilmington Regulatory Field Office
 US Army Corps Of Engineers
 Post Office Box 1890
 Wilmington, NC 28402-1890
 Telephone: (910) 251-4511
 Fax: (910) 251-4025

Anson	Duplin	Onslow
Bladen	Harnett	Pender
Brunswick	Hoke	Richmond
Carteret	Montgomery	Robeson
Columbus	Moore	Sampson
Cumberland	New Hanover	Scotland

North Carolina State Agencies

Division of Water Quality
 401 Wetlands Unit
 1650 Mail Service Center
 Raleigh, NC 27699-1650
 Telephone: (919) 733-1786
 Fax: (919) 733-6893

Division of Water Quality
 Wetlands Restoration Program
 1619 Mail Service Center
 Raleigh, NC 27699-1619
 Telephone: (919) 733-5208
 Fax: (919) 733-5321

State Historic Preservation Office
 Department Of Cultural Resources
 4617 Mail Service Center
 Raleigh, NC 27699-4617
 Telephone: (919) 733-4763
 Fax: (919) 715-2671

US Fish and Wildlife Service / National Marine Fisheries Service

US Fish and Wildlife Service
 Raleigh Field Office
 Post Office Box 33726
 Raleigh, NC 27636-3726
 Telephone: (919) 856-4520

US Fish and Wildlife Service
 Asheville Field Office
 160 Zillicoa Street
 Asheville, NC 28801
 Telephone: (828) 258-3939

National Marine Fisheries Service
 Habitat Conservation Division
 Pivers Island
 Beaufort, NC 28516
 Telephone: (252) 728-5090

CAMA and NC Coastal Counties

Division of Coastal Management
1638 Mail Service Center
Raleigh, NC 27699-1638
Telephone: (919) 733-2293
Fax: (919) 733-1495

Beaufort
Bertie
Brunswick
Camden
Carteret

Chowan
Craven
Currituck
Dare
Gates

Hertford
Hyde
New Hanover
Onslow
Pamlico

Pasquotank
Pender
Perquimans
Tyrrell
Washington

NCWRC and NC Trout Counties

Western Piedmont Region Coordinator
3855 Idlewild Road
Kernersville, NC 27284-9180
Telephone: (336) 769-9453

Alleghany
Ashe
Avery
Burke

Caldwell
Mitchell
Stokes
Surry

Watauga
Wilkes

Mountain Region Coordinator
20830 Great Smoky Mtn. Expressway
Waynesville, NC 28786
Telephone: (828) 452-2546
Fax: (828) 452-7772

Buncombe
Cherokee
Clay
Graham
Haywood

Henderson
Jackson
Macon
Madison
McDowell

Polk
Rutherford
Swain
Transylvania
Yancey

APPLICATION FORM BEGINS ON PAGE 5. PLEASE DO NOT SUBMIT PAGES 1 - 4.

USACE Action ID No. _____ DWQ No. _____

(If any particular item is not applicable to this project, please enter "Not Applicable" or "N/A".)

I. Processing

- 1. Check all of the approval(s) requested for this project:

<input type="checkbox"/> Section 404 Permit	<input type="checkbox"/> Riparian or Watershed Buffer Rules
<input type="checkbox"/> Section 10 Permit	<input type="checkbox"/> Isolated Wetland Permit from DWQ
<input type="checkbox"/> 401 Water Quality Certification	
- 2. Nationwide, Regional or General Permit Number(s) Requested: _____
- 3. If this notification is solely a courtesy copy because written approval for the 401 Certification is not required, check here:
- 4. If payment into the North Carolina Wetlands Restoration Program (NCWRP) is proposed for mitigation of impacts (verify availability with NCWRP prior to submittal of PCN), complete section VIII and check here:
- 5. If your project is located in any of North Carolina's twenty coastal counties (listed on page 4), and the project is within a North Carolina Division of Coastal Management Area of Environmental Concern (see the top of page 2 for further details), check here:

II. Applicant Information

- 1. Owner/Applicant Information

Name: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____
- 2. Agent/Consultant Information (A signed and dated copy of the Agent Authorization letter must be attached if the Agent has signatory authority for the owner/applicant.)

Name: _____

Company Affiliation: _____

Mailing Address: _____

Telephone Number: _____ Fax Number: _____

E-mail Address: _____

III. Project Information

Attach a **vicinity map** clearly showing the location of the property with respect to local landmarks such as towns, rivers, and roads. Also provide a detailed **site plan** showing property boundaries and development plans in relation to surrounding properties. Both the vicinity map and site plan must include a scale and north arrow. The specific footprints of all buildings, impervious surfaces, or other facilities must be included. If possible, the maps and plans should include the appropriate USGS Topographic Quad Map and NRCS Soil Survey with the property boundaries outlined. Plan drawings, or other maps may be included at the applicant's discretion, so long as the property is clearly defined. For administrative and distribution purposes, the USACE requires information to be submitted on sheets no larger than 11 by 17-inch format; however, DWQ may accept paperwork of any size. DWQ prefers full-size construction drawings rather than a sequential sheet version of the full-size plans. If full-size plans are reduced to a small scale such that the final version is illegible, the applicant will be informed that the project has been placed on hold until decipherable maps are provided.

1. Name of project: _____
2. T.I.P. Project Number or State Project Number (NCDOT Only): _____
3. Property Identification Number (Tax PIN): _____
4. Location
County: _____ Nearest Town: _____
Subdivision name (include phase/lot number): _____
Directions to site (include road numbers, landmarks, etc.): _____

5. Site coordinates, if available (UTM or Lat/Long): _____
(Note – If project is linear, such as a road or utility line, attach a sheet that separately lists the coordinates for each crossing of a distinct waterbody.)
6. Property size (acres): _____
7. Nearest body of water (stream/river/sound/ocean/lake): _____
8. River Basin: _____
(Note – this must be one of North Carolina's seventeen designated major river basins. The River Basin map is available at <http://h2o.enr.state.nc.us/admin/maps/>.)
9. Describe the existing conditions on the site and general land use in the vicinity of the project at the time of this application: _____

10. Describe the overall project in detail, including the type of equipment to be used: _____

11. Explain the purpose of the proposed work: _____

IV. Prior Project History

If jurisdictional determinations and/or permits have been requested and/or obtained for this project (including all prior phases of the same subdivision) in the past, please explain. Include the USACE Action ID Number, DWQ Project Number, application date, and date permits and certifications were issued or withdrawn. Provide photocopies of previously issued permits, certifications or other useful information. Describe previously approved wetland, stream and buffer impacts, along with associated mitigation (where applicable). If this is a NCDOT project, list and describe permits issued for prior segments of the same T.I.P. project, along with construction schedules.

V. Future Project Plans

Are any future permit requests anticipated for this project? If so, describe the anticipated work, and provide justification for the exclusion of this work from the current application.

VI. Proposed Impacts to Waters of the United States/Waters of the State

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to wetlands, open water, and stream channels associated with the project. The applicant must also provide justification for these impacts in Section VII below. All proposed impacts, permanent and temporary, must be listed herein, and must be clearly identifiable on an accompanying site plan. All wetlands and waters, and all streams (intermittent and perennial) must be shown on a delineation map, whether or not impacts are proposed to these systems. Wetland and stream evaluation and delineation forms should be included as appropriate. Photographs may be included at the applicant's discretion. If this proposed impact is strictly for wetland or stream mitigation, list and describe the impact in Section VIII below. If additional space is needed for listing or description, please attach a separate sheet.

1. Provide a written description of the proposed impacts: _____

2. Individually list wetland impacts below:

Wetland Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Located within 100-year Floodplain** (yes/no)	Distance to Nearest Stream (linear feet)	Type of Wetland***

- * List each impact separately and identify temporary impacts. Impacts include, but are not limited to: mechanized clearing, grading, fill, excavation, flooding, ditching/drainage, etc. For dams, separately list impacts due to both structure and flooding.
- ** 100-Year floodplains are identified through the Federal Emergency Management Agency’s (FEMA) Flood Insurance Rate Maps (FIRM), or FEMA-approved local floodplain maps. Maps are available through the FEMA Map Service Center at 1-800-358-9616, or online at <http://www.fema.gov>.
- *** List a wetland type that best describes wetland to be impacted (e.g., freshwater/saltwater marsh, forested wetland, beaver pond, Carolina Bay, bog, etc.) Indicate if wetland is isolated (determination of isolation to be made by USACE only).

List the total acreage (estimated) of all existing wetlands on the property: _____

Total area of wetland impact proposed: _____

3. Individually list all intermittent and perennial stream impacts below:

Stream Impact Site Number (indicate on map)	Type of Impact*	Length of Impact (linear feet)	Stream Name**	Average Width of Stream Before Impact	Perennial or Intermittent? (please specify)

- * List each impact separately and identify temporary impacts. Impacts include, but are not limited to: culverts and associated rip-rap, dams (separately list impacts due to both structure and flooding), relocation (include linear feet before and after, and net loss/gain), stabilization activities (cement wall, rip-rap, crib wall, gabions, etc.), excavation, ditching/straightening, etc. If stream relocation is proposed, plans and profiles showing the linear footprint for both the original and relocated streams must be included.
- ** Stream names can be found on USGS topographic maps. If a stream has no name, list as UT (unnamed tributary) to the nearest downstream named stream into which it flows. USGS maps are available through the USGS at 1-800-358-9616, or online at www.usgs.gov. Several internet sites also allow direct download and printing of USGS maps (e.g., www.topozone.com, www.mapquest.com, etc.).

Cumulative impacts (linear distance in feet) to all streams on site: _____

4. Individually list all open water impacts (including lakes, ponds, estuaries, sounds, Atlantic Ocean and any other water of the U.S.) below:

Open Water Impact Site Number (indicate on map)	Type of Impact*	Area of Impact (acres)	Name of Waterbody (if applicable)	Type of Waterbody (lake, pond, estuary, sound, bay, ocean, etc.)

* List each impact separately and identify temporary impacts. Impacts include, but are not limited to: fill, excavation, dredging, flooding, drainage, bulkheads, etc.

5. Pond Creation

If construction of a pond is proposed, associated wetland and stream impacts should be included above in the wetland and stream impact sections. Also, the proposed pond should be described here and illustrated on any maps included with this application.

Pond to be created in (check all that apply): uplands stream wetlands
 Describe the method of construction (e.g., dam/embankment, excavation, installation of draw-down valve or spillway, etc.): _____

Proposed use or purpose of pond (e.g., livestock watering, irrigation, aesthetic, trout pond, local stormwater requirement, etc.): _____

Size of watershed draining to pond: _____ Expected pond surface area: _____

VII. Impact Justification (Avoidance and Minimization)

Specifically describe measures taken to avoid the proposed impacts. It may be useful to provide information related to site constraints such as topography, building ordinances, accessibility, and financial viability of the project. The applicant may attach drawings of alternative, lower-impact site layouts, and explain why these design options were not feasible. Also discuss how impacts were minimized once the desired site plan was developed. If applicable, discuss construction techniques to be followed during construction to reduce impacts.

VIII. Mitigation

DWQ - In accordance with 15A NCAC 2H .0500, mitigation may be required by the NC Division of Water Quality for projects involving greater than or equal to one acre of impacts to freshwater wetlands or greater than or equal to 150 linear feet of total impacts to perennial streams.

USACE – In accordance with the Final Notice of Issuance and Modification of Nationwide Permits, published in the Federal Register on March 9, 2000, mitigation will be required when necessary to ensure that adverse effects to the aquatic environment are minimal. Factors including size and type of proposed impact and function and relative value of the impacted aquatic resource will be considered in determining acceptability of appropriate and practicable mitigation as proposed. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing and maintaining wetland and/or upland vegetated buffers to protect open waters such as streams; and replacing losses of aquatic resource functions and values by creating, restoring, enhancing, or preserving similar functions and values, preferable in the same watershed.

If mitigation is required for this project, a copy of the mitigation plan must be attached in order for USACE or DWQ to consider the application complete for processing. Any application lacking a required mitigation plan or NCWRP concurrence shall be placed on hold as incomplete. An applicant may also choose to review the current guidelines for stream restoration in DWQ’s Draft Technical Guide for Stream Work in North Carolina, available at <http://h2o.enr.state.nc.us/ncwetlands/strmgide.html>.

1. Provide a brief description of the proposed mitigation plan. The description should provide as much information as possible, including, but not limited to: site location (attach directions and/or map, if offsite), affected stream and river basin, type and amount (acreage/linear feet) of mitigation proposed (restoration, enhancement, creation, or preservation), a plan view, preservation mechanism (e.g., deed restrictions, conservation easement, etc.), and a description of the current site conditions and proposed method of construction. Please attach a separate sheet if more space is needed.

2. Mitigation may also be made by payment into the North Carolina Wetlands Restoration Program (NCWRP). Please note it is the applicant’s responsibility to contact the NCWRP at (919) 733-5208 to determine availability and to request written approval of mitigation prior to submittal of a PCN. For additional information regarding the application process for the NCWRP, check the NCWRP website at <http://h2o.enr.state.nc.us/wrp/index.htm>. If use of the NCWRP is proposed, please check the appropriate box on page three and provide the following information:

Amount of stream mitigation requested (linear feet): _____
Amount of buffer mitigation requested (square feet): _____
Amount of Riparian wetland mitigation requested (acres): _____
Amount of Non-riparian wetland mitigation requested (acres): _____
Amount of Coastal wetland mitigation requested (acres): _____

IX. Environmental Documentation (required by DWQ)

Does the project involve an expenditure of public (federal/state) funds or the use of public (federal/state) land?

Yes No

If yes, does the project require preparation of an environmental document pursuant to the requirements of the National or North Carolina Environmental Policy Act (NEPA/SEPA)?
 Note: If you are not sure whether a NEPA/SEPA document is required, call the SEPA coordinator at (919) 733-5083 to review current thresholds for environmental documentation.

Yes No

If yes, has the document review been finalized by the State Clearinghouse? If so, please attach a copy of the NEPA or SEPA final approval letter.

Yes No

X. Proposed Impacts on Riparian and Watershed Buffers (required by DWQ)

It is the applicant's (or agent's) responsibility to determine, delineate and map all impacts to required state and local buffers associated with the project. The applicant must also provide justification for these impacts in Section VII above. All proposed impacts must be listed herein, and must be clearly identifiable on the accompanying site plan. All buffers must be shown on a map, whether or not impacts are proposed to the buffers. Correspondence from the DWQ Regional Office may be included as appropriate. Photographs may also be included at the applicant's discretion.

Will the project impact protected riparian buffers identified within 15A NCAC 2B .0233 (Neuse), 15A NCAC 2B .0259 (Tar-Pamlico), 15A NCAC 2B .0250 (Randleman Rules and Water Supply Buffer Requirements), or other (please identify _____)?

Yes No If you answered "yes", provide the following information:

Identify the square feet and acreage of impact to each zone of the riparian buffers. If buffer mitigation is required calculate the required amount of mitigation by applying the buffer multipliers.

Zone*	Impact (square feet)	Multiplier	Required Mitigation
1		3	
2		1.5	
Total			

* Zone 1 extends out 30 feet perpendicular from near bank of channel; Zone 2 extends an additional 20 feet from the edge of Zone 1.

If buffer mitigation is required, please discuss what type of mitigation is proposed (i.e., Donation of Property, Conservation Easement, Riparian Buffer Restoration / Enhancement, Preservation or Payment into the Riparian Buffer Restoration Fund). Please attach all appropriate information as identified within 15A NCAC 2B .0242 or .0260.

XI. Stormwater (required by DWQ)

Describe impervious acreage (both existing and proposed) versus total acreage on the site. Discuss stormwater controls proposed in order to protect surface waters and wetlands downstream from the property.

XII. Sewage Disposal (required by DWQ)

Clearly detail the ultimate treatment methods and disposition (non-discharge or discharge) of wastewater generated from the proposed project, or available capacity of the subject facility.

XIII. Violations (required by DWQ)

Is this site in violation of DWQ Wetland Rules (15A NCAC 2H .0500) or any Buffer Rules?

Yes No

Is this an after-the-fact permit application?

Yes No

XIV. Other Circumstances (Optional):

It is the applicant's responsibility to submit the application sufficiently in advance of desired construction dates to allow processing time for these permits. However, an applicant may choose to list constraints associated with construction or sequencing that may impose limits on work schedules (e.g., draw-down schedules for lakes, dates associated with Endangered and Threatened Species, accessibility problems, or other issues outside of the applicant's control).

Applicant/Agent's Signature **Date**
(Agent's signature is valid only if an authorization letter from the applicant is provided.)