



NORTH CAROLINA  
Environmental Quality

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Director

PUBLIC NOTICE

DATE: December 11, 2023

TO: DEQ-DWR-Wetlands-Public Listserv

FROM: Stephanie Goss, Supervisor, 401 & Buffer Permitting Branch  
Amy Chapman, Supervisor, Transportation Permitting Branch

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SBS  
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RE: Wetland and 401 Certification Updates

The purpose of this Public Notice is as described below. This notice is available electronically at <https://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-public-notices>.

**Federal 401 Certification Rule:**

On Nov. 27, 2023, a [revised federal rule on 401 Certifications](#) became effective. In response to the revised rule, effective immediately, the North Carolina Department of Environmental Quality's Division of Water Resources is no longer requiring pre-filing meetings prior to submittal of every 401 Certification application.

However, for projects associated with a U.S. Army Corps of Engineers Standard Permit (individual permit) that will require a 401 certification, DWR strongly recommends that applicants continue to conduct pre-application meetings with DWR staff. For these projects, pre-application meetings provide a valuable opportunity for DWR to provide essential information that will improve application review and final agency decisions.

Please contact the [DWR 401 & Buffer Permitting Branch](#) or the [DWR Transportation Permitting Branch](#) with any questions.

