

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER RESOURCES**

**STATE GENERAL PERMIT FOR IMPACTS TO ISOLATED AND
OTHER NON-404 JURISDICTIONAL WETLANDS AND SURFACE WATERS
PERMIT NUMBER: IWGP100000**

**FOR PROJECTS IMPACTING LESS THAN OR EQUAL TO ONE (1) ACRE OF ISOLATED AND
OTHER NON-404 JURISDICTIONAL WETLANDS OR ISOLATED AND OTHER NON-404
JURISDICTIONAL OPEN WATERS AND/OR LESS THAN OR EQUAL TO THREE HUNDRED
(300) FEET OF ISOLATED AND OTHER NON-404 JURISDICTIONAL STREAMS**

In accordance with the provision of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other lawful standards and regulations, including 15A NCAC 02H .1300, as amended by Session Law 2015-286, and 15A NCAC 02B .0200, promulgated and adopted by the North Carolina Environmental Management Commission, permission is hereby granted to all owners or operators of activities which impact isolated and other non-404 jurisdictional wetlands and surface waters in accordance with the conditions set forth in this General Permit.

This General Permit is issued in conformity with the requirements of North Carolina Regulations in 15A NCAC 02H .1300 as amended by Session Law 2015-286 for the discharge of fill material to isolated and other non-404 jurisdictional wetlands and surface waters of the State of North Carolina.

The State of North Carolina certifies that the specified category of activity will not violate applicable portions of Sections 301, 302, 303, 306 and 307 of the Public Laws 92-500 and 95-217 if conducted in accordance with the conditions hereinafter set forth.

This General Permit shall become effective on December 1, 2017.

This General Permit shall expire on March 18, 2022 or unless otherwise rescinded after public notice or until deemed appropriate by the Director of the NC Division of Water Resources.

Signed this day: December 1, 2017

By

A handwritten signature in black ink, appearing to read 'Linda Culpepper', is written over a horizontal line.

for Linda Culpepper
Interim Director

Pursuant to Session Law 2015-286, this Permit shall apply only to Basin Wetlands and Bogs and no other wetland types as described in the North Carolina Wetland Assessment User Manual prepared by the North Carolina Wetland Functional Assessment Team, version 4.1 October 2010 that are not 404 jurisdictional wetlands under the federal Clean Water Act. For streams, this Permit shall only apply to intermittent and perennial streams as determined by the most current version of the DWR Surface Water Identification Manual.

Pursuant to 15A NCAC 02H .1305 as amended by Session Law 2015-286 impacts less than or equal to one (1) acre of isolated and other non 404-jurisdictional wetlands for the entire project in the coastal region, less than or equal to one-half (1/2) acre of isolated and other non 404-jurisdictional wetlands for the entire project in the piedmont region, or less than or equal to one-third (1/3) acre of isolated and other non 404-jurisdictional wetlands in the mountain region for the entire project are deemed to be permitted as long as they comply with 15A NCAC 02H .1305. The Coastal, Piedmont and Mountain Regions are depicted in Attachment A.

Activities meeting any one (1) of the following thresholds or circumstances require written approval from the Division of Water Resources (DWR):

- a) If any of the conditions of this Permit (listed below) cannot be met; or
- b) Any impacts to isolated and other non-404 jurisdictional streams from excavation or dredging other than excavation that is conducted as preparation for installing permanent fill or structures; or
- c) Any isolated and other non-404 jurisdictional stream relocation or stream restoration; or
- d) Total temporary and permanent impacts to isolated and other non-404 jurisdictional streams for the entire project greater than 150 linear feet; or
- e) Total temporary or permanent impacts to isolated and other non-404 jurisdictional wetlands or isolated and other non-404 jurisdictional open waters equal to or greater than one (1) acre for the entire project in the Coastal Region;
- f) Total temporary or permanent impacts to isolated and other non-404 jurisdictional wetlands or isolated and other non-404 jurisdictional open waters equal to or greater than one-half (1/2) acre for the entire project in the Piedmont Region; or
- g) Total temporary or permanent impacts to isolated and other non-404 jurisdictional wetlands or isolated and other non-404 jurisdictional open waters equal to or greater than one-third (1/3) acre for the entire project in the Mountain Region; or
- h) Any high-density project, as defined in 15A NCAC 02H .1003(2)(a) and by the density thresholds specified in 15A NCAC 02H .1017, which;
 - i. Disturbs one acre or more of land (including a project that disturbs less than one acre of land that is part of a larger common plan of development or sale); and
 - ii. Has permanent wetland, stream or open water impacts; and
 - iii. Is proposing new built-upon area; and
 - iv. Does not have a stormwater management plan reviewed and approved under a

state stormwater program¹ or a state-approved local government stormwater program².

Projects that have vested rights, exemptions, or grandfathering from state or locally-implemented stormwater programs and projects that satisfy state or locally-implemented stormwater programs through use of community in-lieu programs require written approval;

- i) Any impact associated with a Notice of Violation or an enforcement action for violation(s) of NC Wetland Rules (15A NCAC 02H .0500), NC Isolated Wetland Rules (15A NCAC 02H .1300), NC Surface Water or Wetland Standards (15A NCAC 02B .0200), or State Regulated Riparian Buffer Rules (15A NCAC 02B .0200); or
- j) Any impacts to isolated subject water bodies and/or state regulated riparian buffers along isolated subject water bodies in the Neuse, Tar-Pamlico, or Catawba River Basins or in the Randleman Lake, Jordan Lake or Goose Creek Watersheds (or any other basin or watershed with State Regulated Riparian Area Protection Rules [Buffer Rules] in effect at the time of application) *unless*:
 - i. The activities are listed as “EXEMPT” from these rules; or
 - ii. A Buffer Authorization Certificate is issued by the NC Division of Coastal Management (DCM) for “ALLOWABLE” activities; or
 - iii. A Buffer Authorization Certificate or a Minor Variance is issued by a delegated or designated local government implementing a state riparian buffer program pursuant to 143-215.23.

Activities included in this General Permit that do not meet one of the thresholds listed above do *not* require written approval from the DWR.

I. ACTIVITY SPECIFIC CONDITIONS:

1. In accordance with 15A NCAC 02H .1305(c) & (d) as amended by Session Law 2015-286 and in accordance with Session Law 2017-10, compensatory mitigation may be required for losses greater than 300 linear feet of isolated and other non-404 jurisdictional perennial streams and/or greater than one (1) acre of isolated and other non-404 jurisdictional wetland impacts in the Coastal Region, one-half (1/2) acre of isolated and other non-404 jurisdictional wetland impacts in the Piedmont Region, and one-third (1/3) acre of isolated and other non-404 jurisdictional wetland impacts in the Mountain Region. Impacts associated with the removal of a dam shall not require mitigation when the removal complies with the requirements of Part 3 of Article 21 in Chapter 143 of the North Carolina General Statutes. Impacts to isolated and other non-404 jurisdictional wetlands shall not be combined with 404 jurisdictional wetlands for the purpose of determining when impact thresholds trigger a mitigation requirement. Pursuant to Session Law 2015-286, mitigation

¹ e.g. Coastal Counties, HQW, ORW, or state-implemented Phase II NPDES

² e.g. Delegated Phase II NPDES, Water Supply Watershed, Nutrient-Sensitive Waters, or Universal Stormwater Management Program

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requirements for impacts to isolated and other non-404 jurisdictional wetlands shall only apply to the amount of impact that exceeds the thresholds set out in this Condition. For linear publicly owned and maintained transportation projects that are not determined to be part of a larger common plan of development by the US Army Corps of Engineers, compensatory mitigation may be required for losses of greater than 300 linear feet per perennial stream. [15A NCAC 02H .1305(c)(6)]

Compensatory stream and/or wetland mitigation shall be proposed and completed in compliance with G.S. 143-214.11. For applicants proposing to conduct mitigation within a project site, a complete mitigation proposal developed in accordance with the most recent guidance issued by the US Army Corps of Engineers Wilmington District shall be submitted for review and approval with the application for impacts.

2. If this General Permit is used to access residential, commercial or industrial building sites, then all parcels owned by the applicant that are part of the single and complete project authorized by this Permit must be buildable without additional impacts to streams or wetlands. If required in writing by DWR, the applicant shall provide evidence that the parcels are buildable without requiring additional impacts to wetlands, waters, or state regulated riparian buffers. [15A NCAC 02H .1305(c)(4) and (d)(4)]
3. For road construction purposes, this Permit shall only be utilized from natural high ground to natural high ground. [15A NCAC 02H .1305(c)(2) and (d)(2)]
4. Deed notifications or similar mechanisms shall be placed on all lots with retained jurisdictional wetlands, waters, and state regulated riparian buffers within the project boundaries in order to assure compliance with NC Wetland Rules (15A NCAC 02H .0500), NC Isolated Wetland Rules (15A NCAC 02H .1300), and/or State Regulated Riparian Buffer Rules (15A NCAC 02B .0200). These mechanisms shall be put in place at the time of recording of the property or individual parcels, whichever is appropriate. [15A NCAC 02H .1305(c)(4) and (d)(4)]
5. For the North Carolina Department of Transportation, compliance with the NCDOT's individual NPDES Permit NCS000250 shall serve to satisfy this condition. All other high density projects that trigger threshold Item (h) above shall comply with one of the following requirements: [15A NCAC 02H .1305(c)(5) and (d)(5)]:
 - a. Provide a completed Stormwater Management Plan (SMP) for review and approval, including all appropriate stormwater control measure (SCM) supplemental forms and associated items, that complies with the high density development requirements of 15A NCAC 02H .1003. Stormwater management shall be provided throughout the entire project area in accordance with 15A NCAC 02H .1003. For the purposes of 15A NCAC 02H .1003(2)(a), density thresholds shall be determined in accordance with 15A NCAC 02H .1017.

- b. Provide documentation (including calculations, photos, etc.) that the project will not cause degradation of downstream surface waters. Documentation shall include a detailed analysis of the hydrological impacts from stormwater runoff when considering the volume and velocity of stormwater runoff from the project built upon area and the size and existing condition of the receiving stream(s).

Exceptions to this condition require application to and written approval from DWR.

II. GENERAL CONDITIONS:

1. When written authorization is required, the plans and specifications for the project are incorporated into the authorization by reference and are an enforceable part of the Permit. Any modifications to the project require notification to DWR and may require an application submittal to DWR with the appropriate fee. [15A NCAC 02H .1301 and .1302]
2. No waste, spoil, solids, or fill of any kind shall occur in wetlands or waters beyond the footprint of the impacts (including temporary impacts) as authorized in the written approval from DWR; or beyond the thresholds established for use of this Permit without written authorization. [15A NCAC 02H .1301 and .1302]

No removal of vegetation or other impacts of any kind shall occur to state regulated riparian buffers beyond the footprint of impacts approved in a Buffer Authorization or Variance or as listed as an exempt activity in the applicable riparian buffer rules. [15A NCAC 02B .0200]

3. All activities shall be in compliance with any applicable State Regulated Riparian Buffer Rules in Chapter 2 of Title 15A.
4. When applicable, all construction activities shall be performed and maintained in full compliance with G.S. Chapter 113A Article 4 (Sediment and Pollution Control Act of 1973). Regardless of applicability of the Sediment and Pollution Control Act, all projects shall incorporate appropriate Best Management Practices for the control of sediment and erosion so that no violations of state water quality standards, statutes, or rules occur. [15A NCAC 02H .1305(c)(3) and (d)(3) and 15A NCAC 02B .0200]

Design, installation, operation, and maintenance of all sediment and erosion control measures shall be equal to or exceed the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*, or for linear transportation projects, the *NCDOT Sediment and Erosion Control Manual*.

All devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) sites, including contractor-owned or leased borrow pits associated with the project. Sufficient materials required for stabilization and/or repair of erosion control measures and stormwater routing and treatment shall be on-site at all times.

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For borrow pit sites, the erosion and sediment control measures shall be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Surface Mining Manual*. Reclamation measures and implementation shall comply with the reclamation in accordance with the requirements of the Sedimentation Pollution Control Act and the Mining Act of 1971.

If the project occurs in waters or watersheds classified as Primary Nursery Areas (PNA), SA, WS-I, WS-II, High Quality Waters (HQW), or Outstanding Resource Waters (ORW), then the sedimentation and erosion control designs shall comply with the requirements set forth in 15A NCAC 04B .0124, *Design Standards in Sensitive Watersheds*.

5. Sediment and erosion control measures shall not be placed in wetlands or waters except within the footprint of temporary or permanent impacts authorized under this Permit. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .1301 and .1302]
6. Erosion control matting that incorporates plastic mesh and/or plastic twine shall not be used along streambanks or within wetlands. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02B .0201]
7. An NPDES Construction Stormwater Permit (NCG010000) is required for construction projects that disturb one (1) or more acres of land. The NCG010000 Permit allows stormwater to be discharged during land disturbing construction activities as stipulated in the conditions of the Permit. If the project is covered by this Permit, full compliance with Permit conditions including the erosion & sedimentation control plan, inspections and maintenance, self-monitoring, record keeping and reporting requirements is required. [15A NCAC 02H .1305(c)(5) and (d)(5)]

The North Carolina Department of Transportation (NCDOT) shall be required to be in full compliance with the conditions related to construction activities within the most recent version of their individual NPDES (NCS000250) Stormwater Permit. [15A NCAC 02H .1305(c)(5) and (d)(5)]

8. All work in or adjacent to streams shall be conducted so that the flowing stream does not come in contact with the disturbed area. Approved best management practices from the most current version of the *NC Sediment and Erosion Control Manual*, or the *NC DOT Construction and Maintenance Activities Manual*, such as sandbags, rock berms, cofferdams, and other diversion structures shall be used to minimize excavation in flowing water. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .1305(c)(3) and (d)(3)]
9. If activities must occur during periods of high biological activity (e.g. sea turtle nesting, fish spawning, or bird nesting), then biological monitoring may be required at the request of other state or federal agencies and coordinated with these activities. [15A NCAC 02H .1305(c)(2) and 15A NCAC 04B .0125]

All moratoriums on construction activities established by the NC Wildlife Resources Commission (WRC), US Fish and Wildlife Service (USFWS), NC Division of Marine Fisheries (DMF), or National Marine Fisheries Service (NMFS) shall be implemented. Exceptions to this condition require written approval by the resource agency responsible for the given moratorium. A copy of the approval from the resource agency shall be forwarded to DWR.

Work within a designated trout watershed of North Carolina (as identified by the Wilmington District of the US Army Corps of Engineers) or identified state or federal endangered or threatened species habitat, shall be coordinated with the appropriate WRC, USFWS, NMFS, and/or DMF personnel.

10. Culverts shall be designed and installed in such a manner that the original stream profiles are not altered and allow for aquatic life movement during low flows. The dimension, pattern, and profile of the stream above and below a pipe or culvert shall not be modified by widening the stream channel or by reducing the depth of the stream in connection with the construction activity. The width, height, and gradient of a proposed culvert shall be such as to pass the average historical low flow and spring flow without adversely altering flow velocity. [15A NCAC 02H .1305(c)(2) and (d)(2)]

Placement of culverts and other structures in streams shall be below the elevation of the streambed by one foot for all culverts with a diameter greater than 48 inches, and 20% of the culvert diameter for culverts having a diameter less than or equal to 48 inches, to allow low flow passage of water and aquatic life.

If multiple pipes or barrels are required, they shall be designed to mimic the existing stream cross section as closely as possible including pipes or barrels at flood plain elevation and/or sills where appropriate. Widening the stream channel shall be avoided.

When topographic constraints indicate culvert slopes of greater than 5%, culvert burial is not required, provided that all alternative options for flattening the slope have been investigated and aquatic life movement/connectivity has been provided when possible (e.g. rock ladders, cross vanes, etc.). Notification, including supporting documentation to include a location map of the culvert, culvert profile drawings, and slope calculations, shall be provided to DWR 60 calendar days prior to the installation of the culvert.

When bedrock is present in culvert locations, culvert burial is not required provided that there is sufficient documentation of the presence of bedrock. Notification, including supporting documentation such as a location map of the culvert, geotechnical reports, photographs, etc. shall be provided to DWR a minimum of 60 calendar days prior to the installation of the culvert. If bedrock is discovered during construction, then DWR shall be notified by phone or email within 24 hours of discovery.

If other site-specific topographic constraints preclude the ability to bury the culverts as described above and/or it can be demonstrated that burying the culvert would result in destabilization of the channel, then exceptions to this condition require application to and written approval from DWR.

Installation of culverts in wetlands shall ensure continuity of water movement and be designed to adequately accommodate high water or flood conditions. When roadways, causeways, or other fill projects are constructed across FEMA-designated floodways or wetlands, openings such as culverts or bridges shall be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in destabilization of streams or wetlands.

The establishment of native woody vegetation and other soft stream bank stabilization techniques shall be used where practicable instead of rip-rap or other bank hardening methods.

11. Bridge deck drains shall not discharge directly into the stream. Stormwater shall be directed across the bridge and pre-treated through site-appropriate means to the maximum extent practicable (e.g. grassed swales, pre-formed scour holes, vegetated buffers, etc.) before entering the stream. Exceptions to this condition require application to and written approval from DWR. [15A NCAC 02H .1305(c)(5)]
12. Application of fertilizer to establish planted/seeded vegetation within disturbed riparian areas and/or wetlands shall be conducted at agronomic rates and shall comply with all other Federal, State and Local regulations. Fertilizer application shall be accomplished in a manner that minimizes the risk of contact between the fertilizer and surface waters. [15A NCAC 02B .0200 and 15A NCAC 02B .0231]
13. If concrete is used during construction, then all necessary measures shall be taken to prevent direct contact between uncured or curing concrete and waters of the state. Water that inadvertently contacts uncured concrete shall not be discharged to waters of the state. [15A NCAC 02B .0200]
14. All proposed and approved temporary fill and culverts shall be removed and the impacted area shall be returned to natural conditions within 60 calendar days after the temporary impact is no longer necessary. The impacted areas shall be restored to original grade, including each stream's original cross sectional dimensions, planform pattern, and longitudinal bed profile. For projects that receive written approval, no temporary impacts are allowed beyond those included in the application and authorization. All temporarily impacted sites shall be restored and stabilized with native vegetation. [15A NCAC 02H .1305(c)(2) and (d)(2)]
15. All proposed and approved temporary pipes/culverts/rip-rap pads etc. in streams shall be installed as outlined in the most recent edition of the *North Carolina Sediment and Erosion Control Planning and Design Manual* or the *North Carolina Surface Mining Manual* or the *North Carolina Department of Transportation Best Management Practices for Construction and Maintenance Activities* so as not to restrict stream flow or cause dis-equilibrium during use of this Permit. [15A NCAC 02H .1305(c)(2) and (d)(2)]

16. Any rip-rap required for proper culvert placement, stream stabilization, or restoration of temporarily disturbed areas shall be restricted to the area directly impacted by the approved construction activity. All rip-rap shall be placed such that the original stream elevation and streambank contours are restored and maintained. Placement of rip-rap or other approved materials shall not result in de-stabilization of the stream bed or banks upstream or downstream of the area or in a manner that precludes aquatic life passage. [15A NCAC 02H .1305(c)(2)]
17. Any rip-rap used for stream or shoreline stabilization shall be of a size and density to prevent movement by wave, current action, or stream flows and shall consist of clean rock or masonry material free of debris or toxic pollutants. Rip-rap shall not be installed in the streambed except in specific areas required for velocity control and to ensure structural integrity of bank stabilization measures. [15A NCAC 02H .1305(c)(2)]
18. Applications for rip-rap groins proposed in accordance with 15A NCAC 07H .1401 (NC Division of Coastal Management General Permit for construction of Wooden and Rip-rap Groins in Estuarine and Public Trust Waters) shall meet all the specific conditions for design and construction specified in 15A NCAC 07H .1405.
19. All mechanized equipment operated near surface waters shall be inspected and maintained regularly to prevent contamination of surface waters from fuels, lubricants, hydraulic fluids, or other toxic materials. Construction shall be staged in order to minimize the exposure of equipment to surface waters to the maximum extent practicable. Fueling, lubrication and general equipment maintenance shall be performed in a manner to prevent, to the maximum extent practicable, contamination of surface waters by fuels and oils. [15A NCAC 02H .1305(c)(3) and (d)(3) and 15A NCAC 02B .0211 (12)]
20. Heavy equipment working in wetlands shall be placed on mats or other measures shall be taken to minimize soil disturbance. [15A NCAC 02H .1305 (c)(3) and (d)(3)]
21. In accordance with 143-215.85(b), the applicant shall report any petroleum spill of 25 gallons or more; any spill regardless of amount that causes a sheen on surface waters; any petroleum spill regardless of amount occurring within 100 feet of surface waters; and any petroleum spill less than 25 gallons that cannot be cleaned up within 24 hours.
22. If an environmental document is required under the State Environmental Policy Act (SEPA), then this Permit is not valid until a Finding of No Significant Impact (FONSI) or Record of Decision (ROD) is issued by the State Clearinghouse. If an environmental document is required under the National Environmental Policy Act (NEPA), then this Permit is not valid until a Categorical Exclusion, the Final Environmental Assessment, or Final Environmental Impact Statement is published by the lead agency. [15A NCAC 01C .0107(a)]
23. This Permit does not relieve the applicant of the responsibility to obtain all other required Federal, State, or Local approvals before proceeding with the project, including those required by, but not limited to, Sediment and Erosion Control, Non-Discharge, Water Supply Watershed, and Trout Buffer regulations.

24. The applicant and their authorized agents shall conduct all activities in a manner consistent with State water quality standards (including any requirements resulting from compliance with §303(d) of the Clean Water Act), and any other appropriate requirements of State and Federal Law. If DWR determines that such standards or laws are not being met, including failure to sustain a designated or achieved use, or that State or Federal law is being violated, or that further conditions are necessary to assure compliance, then DWR may revoke or modify a written authorization associated with this Permit. [15A NCAC 02H .1304(c)]
25. The permittee shall require its contractors and/or agents to comply with the terms and conditions of this permit in the construction and maintenance of this project, and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this Certification. A copy of this Certification, including all conditions shall be available at the project site during the construction and maintenance of this project. [15A NCAC 02H .0507 (c) and 15A NCAC 02H .0506 (b)(2) and (c)(2)]
26. When written authorization is required for use of this Permit, upon completion of all permitted impacts included within the approval and any subsequent modifications, the applicant shall be required to return a certificate of completion (available on the DWR website: <https://edocs.deq.nc.gov/Forms/Certificate-of-Completion>). [15A NCAC 02H .1302(f)]
27. Additional site-specific conditions, including monitoring and/or modeling requirements, may be added to the written approval letter for projects proposed under this Permit in order to ensure compliance with all applicable water quality and effluent standards. [15A NCAC 02H .1304(b)]
28. If the property or project is sold or transferred, the new permittee shall be given a copy of this Permit (and written authorization if applicable) and is responsible for complying with all conditions. [15A NCAC 02H .1301 and .1302]

III. GENERAL PERMIT ADMINISTRATION:

1. Impacts to isolated and other non-404 jurisdictional streams as determined by the DWR shall be measured as the length of the centerline of the normal flow channel. Permanent and/or temporary stream impacts shall be enumerated on the entire project for all impacts regardless of which 404 Nationwide Permits are used (if any). Stream relocations and streambed and/or bank hardening are considered to be permanent stream impacts. Any activity that results in a loss of use of stream functions including but not limited to filling, relocating, flooding, excavation, dredging shall be considered stream impacts.

Impacts to streams shall include streams enclosed by bottomless culverts, bottomless arches or other spanning structures unless the entire structure (including construction impacts) spans the entire bed and both banks of the stream, is only used for a road, driveway or path crossing, and is not mitered to follow the stream pattern. Impacts for dam footprints and flooding will count toward the threshold for stream impacts, but flooding

upstream of the dam will not count towards mitigation requirements as long as no filling, excavation, relocation or other modification of the existing stream dimension, pattern or profile occurs. Any filling, excavation, relocation or other modification of the existing stream (other than flooding) must re-establish the same dimensions, patterns and profiles of the existing channel (or those of a stable reference reach if the existing channel is unstable.)

2. Impacts to isolated and other non-404 jurisdictional open waters as determined by the DWR shall be measured as area. Permanent and/or temporary open water impacts shall be enumerated on the entire project for all impacts proposed regardless of which 404 Nationwide Permits are used (if any). Any activity that results in a loss of use of aquatic functions including but not limited to filling, draining, and dredging shall be considered open waters impacts.
3. Impacts to isolated and other non-404 jurisdictional wetlands as determined by the DWR shall be measured as area. Permanent and/or temporary wetland impacts shall be enumerated on the entire project for all impacts. Any activity that results in a loss of use of wetland functions including but not limited to filling, excavating, draining, and flooding shall be considered wetland impacts. Impacts to wetlands shall include activities that change the hydrology of a wetland.
4. In accordance with North Carolina General Statute 143-215.3D(e), written approval for an Isolated Wetland General Permit must include the appropriate fee. An applicant for a CAMA Permit under Article 7 of Chapter 113A of the General Statutes for which a Water Quality Certification is required shall only make one payment to satisfy both agencies; the fee shall be as established by the Secretary in accordance with 143-215.3D(e)(7).
5. This Permit neither grants nor affirms any property right, license, or privilege in any waters, or any right of use in any waters. This Permit does not authorize any person to interfere with the riparian rights, littoral rights, or water use rights of any other person and this Permit does not create any prescriptive right or any right of priority regarding any usage of water. This Permit shall not be interposed as a defense in any action respecting the determination of riparian or littoral rights or other rights to water use. No consumptive user is deemed by virtue of this Permit to possess any prescriptive or other right of priority with respect to any other consumptive user regardless of the quantity of the withdrawal or the date on which the withdrawal was initiated or expanded.
6. This Permit grants permission to the Director, an authorized representative of the Director, or DWR staff, upon the presentation of proper credentials, to enter the property during normal business hours. [15A NCAC 02H .1302(e)]
7. The conditions in effect on the date of issuance of certificate of coverage under this General Permit for a specific project shall remain in effect for the life of the project, regardless of the expiration date of this Permit.

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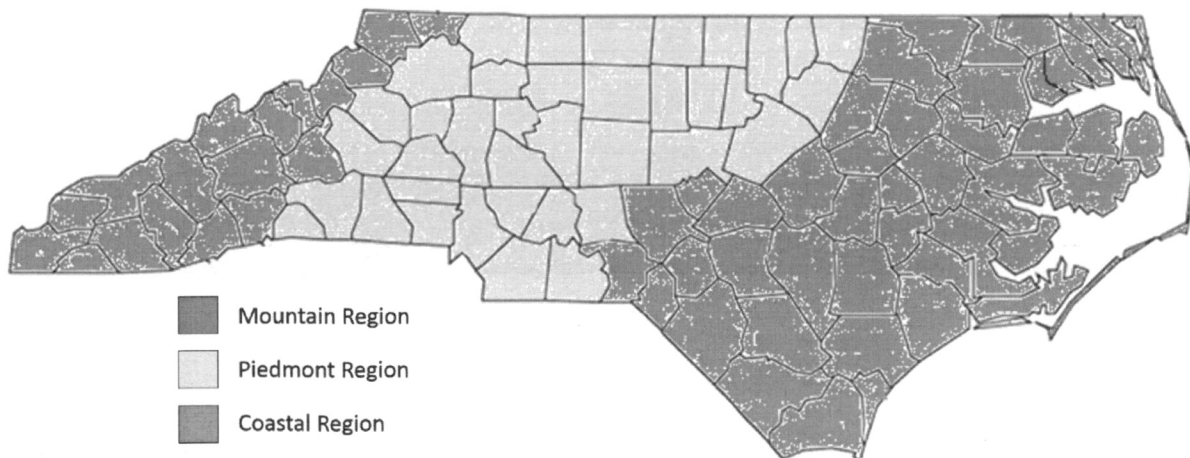
8. Non-compliance with or violation of the conditions herein set forth by a specific project may result in revocation of this Permit for the project and may also result in criminal and/or civil penalties.
9. The Director of the North Carolina Division of Water Resources may require submission of a formal application for Individual Permit for any project in this category of activity if it is deemed in the public's best interest or determined that the project is likely to have a significant adverse effect upon water quality, including state or federally listed endangered or threatened aquatic species, or degrade the waters so that existing uses of the water or downstream waters are precluded.
10. A separate Public Notice and Individual Permit will be required for all projects which propose to impact greater than 300 linear feet of isolated and other non 404-jurisdictional streams or greater than one (1) acre of isolated and other non-404 jurisdictional wetlands or open waters in accordance with 15A NCAC 02H .1303.

History Note: This Isolated Wetlands General Permit (IWGP100000) issued December 1, 2017 replaces the IWGP100000 issued March 3, 2017; March 2, 2016, March 12, 2012, October 31, 2008 and October 3, 2003.

Attachment A

The Coastal Region, Piedmont Region and Mountain Region shall be as follows:

- “Coastal Region” includes Beaufort, Bertie, Bladen, Brunswick, Camden, Carteret, Chowan, Columbus, Craven, Cumberland, Currituck, Dare, Duplin, Edgecombe, Gates, Greene, Halifax, Harnett, Hertford, Hoke, Hyde, Johnston, Jones, Lee, Lenoir, Martin, Moore, Nash, New Hanover, Northampton, Onslow, Pamlico, Pasquotank, Pender, Perquimans, Pitt, Richmond, Robeson, Sampson, Scotland, Tyrrell, Washington, Wayne, and Wilson Counties.
- “Piedmont Region” includes Alamance, Alexander, Anson, Burke, Cabarrus, Caldwell, Caswell, Catawba, Chatham, Cleveland, Davidson, Davie, Durham, Forsyth, Franklin, Gaston, Granville, Guilford, Iredell, Lincoln, Mecklenburg, Montgomery, Orange, Person, Polk, Randolph, Rockingham, Rowan, Rutherford, Stanly, Stokes, Surry, Union, Vance, Wake, Warren, Wilkes, and Yadkin Counties.
- “Mountain Region” includes Alleghany, Ashe, Avery, Buncombe, Cherokee, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, McDowell, Mitchell, Swain, Transylvania, Watauga and Yancey Counties.



When a landowner believes their property is not in the correct region for purposes of regulating impacts to isolated wetlands under Title 15A NCAC 02H .1305(d)(2), they may have a soil scientist conduct a site-specific evaluation to determine the soil series. The soil scientist shall be an individual who is currently licensed or authorized to practice soil science under G.S. 89F by the North Carolina Board for Licensing of Soil Scientists. The landowner shall submit the soil report to the Division of Water Resources. Soil series that occur in North Carolina have been categorized by the Natural Resources Conservation Service of the US Department of Agriculture as follows:

Attachment A

Mountains						
Alarka	Chandler	Cullowhee	Hayesville	Maymead	Saluda	Thurmont
Anakeesta	Cheoah	Dellwood	Heintooga	Micaville	Santeetlah	Toccoa
Arkaqua	Chester	Dillard	Hemphill	Nantahala	Saunook	Toecane
Ashe	Chestnut	Dillsboro	Hiwassee	Nikwasi	Sauratown	Toxaway
Balsam	Chestoa	Ditney	Horsetrough	Northcove	Shinbone	Transylvania
Bandana	Chiltoskie	Edneytown	Hunt Dale	Nowhere	Skyuka	Trimont
Biltmore	Cleveland	Edneyville	Iotla	Oconaluftee	Smokemont	Tsali
Braddock	Clifffield	Ela	Jeffrey	Ostin	Snowbird	Tuckasegee
Bradson	Clifford	Ellijay	Junaluska	Oteen	Soco	Tusquitee
Brasstown	Clifton	Elsinboro	Kanuga	Peaks	Spivey	Unaka
Breakneck	Clingman	Evard	Keener	Pigeonroost	Statler	Unicoi
Brevard	Codorus	Fannin	Kinkora	Pineola	Stecoah	Unison
Brownwood	Colvard	Farner	Lauada	Pinnacle	Suches	Walnut
Buladean	Comus	Fontaflora	Leatherwood	Plott	Swannanoa	Watauga
Burton	Cowee	French	Longhope	Porters	Sylco	Wayah
Cades	Craggey	Greenlee	Lonon	Pullback	Sylva	Wesser
Calvin	Crossnore	Guyot	Lostcove	Rabun	Tanasee	Whiteoak
Cashiers	Cruso	Harmiller	Luftee	Reddies	Tate	Whiteside
Cataloochee	Cullasaja	Hatboro	Mars Hill	Rosman	Thunder	Zillicoa
Cataska						

Attachment A

Piedmont						
Alamance	Cecil	Exway	Leaksville	Nathalie	Riverview	Turbeville
Altavista	Chewacla	Fairview	Lignum	Oak Level	Ronda	Tussahaw
Appling	Cid	Georgeville	Lloyd	Oakboro	Rowan	Uwharrie
Appomattox	Claycreek	Goldston	Louisa	Orange	Saw	Vance
Armenia	Cliffside	Granville	Louisburg	Ostin	Secrest	Wadesboro
Ashlar	Clover	Green Level	Madison	Pacolet	Sedgefield	Wake
Augusta	Colfax	Grover	Mandale	Pactolus	Siloam	Warne
Ayersville	Congaree	Gwinnett	Masada	Peakin	Skyuka	Wate
Badin	Coronaca	Halifax	Mattaponi	Peawick	Spartanburg	Wateree
Banister	Creedmoor	Hallison	Mayodan	Penhook	Spray	Wedowee
Bannertown	Cullen	Haw River	McQueen	Pfafftown	Spriggs	Wehadkee
Belews Lake	Dan River	Helena	Meadowfield	Picture	Starr	Westfield
Bentley	Danripple	Herndon	Mecklenburg	Pilot Mountain	Stoneville	White Store
Bethera	Davidson	Hibriten	Merry Oaks	Pinkston	Stott Knob	Wickham
Bethlehem	Davie	Hiwassee	Misenheimer	Pinoka	Tarrus	Wilkes
Biscoe	Delila	Hornsboro	Mocksville	Pittsboro	Tatum	Winnsboro
Brickhaven	Devotion	Hulett	Monacan	Poindexter	Tillery	Woolwine
Buncombe	Dorian	Iredell	Moncure	Polkton	Toast	Worsham
Callison	Durham	Jackland	Montonia	Poplar Forest	Toccoa	Wynott
Carbonton	Elbert	Kinkora	Mooshaunee	Rasalo	Tomlin	Yadkin
Cartecay	Enon	Kirksey	Nanford	Rhodhiss	Totier	Zion
Casville	Enott	Lackstown	Nason	Rion		

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Attachment A

Coastal						
Acredale	Butters	Dogue	Hydeland	McColl	Paxville	Tarboro
Ailey	Byars	Dorovan	Icaria	Meggett	Peak	Tetotum
Alaga	Cainhoy	Dothan	Invershiel	Mooshaunee	Pelion	Thursa
Alpin	Candor	Dragston	Johns	Muckalee	Pender	Toisnot
Arapahoe	Cape Fear	Duckston	Johnston	Munden	Perquimans	Tomahawk
Argent	Cape Lookout	Dunbar	Kalmia	Murville	Pettigrew	Tomotley
Augusta	Caroline	Duplin	Kenansville	Myatt	Plummer	Torhunta
Autryville	Carteret	Echaw	Kinston	Nahunta	Pocalla	Troup
Aycock	Centenary	Emporia	Kureb	Nakina	Polawana	Uchee
Backbay	Chapanoke	Engelhard	Lakeland	Nankin	Ponzer	Valhalla
Ballahack	Charleston	Exum	Leaf	Nawney	Portsmouth	Varina
Barclay	Chastain	Faceville	Lenoir	Neeses	Pungo	Vaucluse
Bayboro	Chenneby	Foreston	Leon	Newhan	Rains	Wagram
Baymeade	Chesapeake	Fork	Liddell	Newholland	Rimini	Wahee
Belhaven	Chiple	Fortescue	Lillington	Nimmo	Roanoke	Wakulla
Bertie	Chowan	Fripp	Longshoal	Nixonton	Roper	Wando
Bethera	Conaby	Fuquay	Lucy	Noboco	Rumford	Wasda
Bibb	Conetoe	Gertie	Lumbee	Norfolk	Rutlege	Weeksville
Bladen	Corolla	Gilead	Lynchburg	Ocilla	Scuppernong	Wilbanks
Blaney	Cowarts	Goldsboro	Lynn Haven	Onslow	Seabrook	Winton
Blanton	Coxville	Grantham	Mandarin	Orangeburg	Seagate	Woodington
Bohicket	Craven	Grifton	Mantachie	Osier	Shellbluff	Wrightsboro
Bojac	Croatan	Gritney	Marlboro	Ousley	Stallings	Wysocking
Bolling	Currituck	Gullrock	Marvyn	Pactolus	State	Yaupon
Bonneau	Dare	Hobonny	Masontown	Pamlico	Stockade	Yeopim
Bragg	Deloss	Hobucken	Maxton	Pantego	Suffolk	Yonges
Brookman	Delway	Hyde	Mayodan	Pasquotank		