Floating Cabins

Lake Hiwassee | Fontana Lake

Background

Section 26a of the Tennessee Valley Authority (TVA) Act gives the TVA jurisdiction to regulate obstructions that affect navigation, flood control, or public lands across, along, or in the Tennessee River or any of its tributaries. The TVA published a final rule to amend its regulations that govern existing non-navigable houseboats and floating houses (now called floating cabins) located on the Tennessee River and its tributaries. The [final Phase I rule amendments](https://tva-azr-eastus-cdn-ep-tvawcm-prd.azureedge.net/cdn-tvawcma/docs/default-source/default-document-library/site-content/environment/shoreline-construction-26a/phase_1_rules_as_published_and_effective_10_1_2018.pdf?sfvrsn=47d88d43_0) applicable to floating cabins became effective October 1, 2018; the [final Phase II rule amendments](https://www.federalregister.gov/public-inspection/2021-19098/floating-cabins#addresses) (health, safety, and environmental standards) became effective October 12, 2021, and established permitting standards that include the requirement for floating cabins to register with the TVA and obtain coverage under a TVA 26a permit. For more information regarding the 26a permit, please refer to TVA’s Floating Cabins webpage: <https://www.tva.com/environment/shoreline-construction-permits/floating-cabins>

These TVA-issued 26a permits for Floating Cabins require a state 401 Water Quality Certification from NC DWR to certify that the project/activity for which the federal (TVA) permit is issued will not degrade waters of the state or violate state water quality standards.

How do I apply?

To apply for a 401 Certification, requestors must submit a completed and signed Pre-Construction Notification (PCN) form and pay the required fee. It is recommended that applicants download the [**PCN Form**](https://deq.nc.gov/document-library/pcn-wordfillableform/download?attachment) (Word format fillable form, version 4.2 - 1/31/22 update) and submit it as an attachment here: <https://edocs.deq.nc.gov/Forms/Supplemental-Information-Form>.

Updates Coming Soon!

Currently, existing floating cabin owners who wish to obtain a 401 Certification must apply for and receive an *Individual* 401 Certification. However, DWR is in the process of developing a *General* 401 Certification to expedite the application process and will update our website with information as the process evolves.

More Information

* [401 & Isolated Wetlands / Waters Program](https://deq.nc.gov/about/divisions/water-resources/water-quality-permitting/401-buffer-permitting/401-isolated-wetlands-waters-program-401-stormwater) page for fees & procedures information
* [PCN Help Document](https://edocs.deq.nc.gov/WaterResources/DocView.aspx?dbid=0&id=2196924) for assistance completing the form