

PROJECT ELIGIBILITY

Washington State has a streamlined permit approval process for fish passage and fish habitat projects. The process takes 45 days from submittal of a completed application to Washington Department of Fish & Wildlife (WDFW) issuing a Hydraulic Project Approval. The approval exempts the project from State Environmental Policy Act (SEPA) and all county and city permits and fees. To be eligible for this pathway, the project must meet certain criteria. This process is spelled out in Revised Code of Washington 77.55.181. In all cases, please contact your WDFW Area Habitat Biologist early to discuss your project and get his or her recommendations about permitting.

Eligible Projects

To be eligible for the streamlined permit process, it must meet these criteria:

- Removes a human-made or caused fish passage barrier,
- Restores an eroded or unstable stream bank using bioengineering techniques, or
- Places woody debris or other in-stream structures that benefit naturally reproducing fish stocks, and
- Is not disqualified by any condition in Washington Administrative Code 220-660-050 (3)(b)(i), and
- Has an eligible sponsorship pathway (see list below)
- Note that WDFW and local jurisdictions have the ability to deny the streamlined permit pathway for various reasons

Eligible Sponsorship Pathways

- Washington Department of Fish & Wildlife
- By the sponsor of a watershed restoration plan
- Jobs for the environment program
- Through a formal state grant program for fish habitat enhancement or restoration
- Department of Transportation fish passage projects
- Local, state, or federally approved fish barrier removal grant program
- Self-funded city or county stand-alone fish passage barrier removal
- Forest practices projects that meet 76.09 RCW
- Through other formal review and approval processes established by the legislature
- A conservation district (additional information below)

Conservation District Sponsorship

While conceptually the conservation district approval pathway could be a viable option for projects that are not eligible for the other options, there is a technicality that currently prevents WDFW from accepting Conservation District sponsorship. WDFW has internal guidance to allow it to sponsor these projects until the technicality is resolved. This sponsorship must be obtained from WDFW prior to submitting a complete application.

STEPS TO OBTAIN CONSERVATION DISTRICT/WDFW SPONSORSHIP

1. Applicant:

- Submit project plans and a request for sponsorship to local conservation district

2. Conservation district:

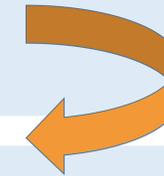
- Reviews plans and provides letter of support to applicant

3. Applicant:

- Submits project plans and conservation district letter of support and a request for WDFW sponsorship to Area Habitat Biologist

4. WDFW:

- **Area Habitat Biologist** reviews submission and forwards to Regional Environmental Engineer if acceptable
- **Regional Environmental Engineer** reviews and forwards to Regional Habitat Program Manager if acceptable
- **Regional Habitat Program Manager** reviews and prepares letter of sponsorship (or denial) for Habitat Program Assistant Director for signature



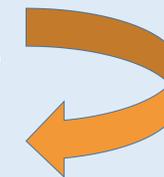
STREAMLINED PERMIT PROCESS

Applicant:

- Assemble a complete application, including:
 - ✓ JARPA
 - ✓ JARPA supplement for Fish Habitat Enhancement
 - ✓ Project plans
 - ✓ Sponsorship documentation
- Submit application to WDFW and local govt. jurisdiction at the same time

WDFW:

- Area Habitat Biologist reviews the application
- If acceptable, application is forwarded to the Regional Habitat Program Manager for concurrence on eligibility for streamlined process
- Area Habitat Biologist notifies local govt. of their eligibility determination
- Local govt. has 15 days from date of application to provide comments to WDFW
- After 15 days, if there are no comments or objections, or the comments can be addressed by conditions within the HPA, WDFW has additional 30 days to issue HPA



RESOURCES

Timeline

Sponsorship must be obtained prior to applying for permits through the streamlined permit process.

The timeline to obtain sponsorship through any of the available sponsorship options will vary. Contact the organization in advance to determine what information they require and what timeline to expect.

When a complete application is received by WDFW and the local jurisdiction, the duration of the streamlined permit process is clearly defined as 45 days.

References

Fish Habitat Enhancement Projects (Governor's Office for Regulatory Innovation and Assistance)
<https://apps.oria.wa.gov/permithandbook/permitdetail/112>

Revised Code of Washington 77.55.181
Fish Habitat Enhancement Projects
<http://apps.leg.wa.gov/RCW/default.aspx?cite=77.55.181>

Washington Administrative Code 220-660-050
Procedures—Hydraulic Project Approvals
<http://apps.leg.wa.gov/wac/default.aspx?cite=220-660-200>

JARPA overview, forms, and contacts at resource agencies
https://www.epermitting.wa.gov/site/alias_resourcecenter/jarpa/9983/jarpa.aspx

