

EXTENSION OF TIME ON PERMITS

Resource Contact: Policy and Planning Section

Effective Date: 10-31-91

Revised Date: 1-20-06

References: RCW 90.03.320, RCW 90.03.360, 90.03.470, RCW 90.03.386, RCW 90.44.060,
RCW 90.44.450, WAC 173-130A-160, WAC 173-134A-080 (2)(i), WAC 508-12-030

Purpose:

To document the generally applicable procedures used in evaluating requests for an extension of time in any of the development phases of a permit.

Application:

This policy applies to all requests for extensions of time and the granting or denial of the request received pursuant to RCW 90.03.320 or 90.44.060. This policy also applies to the addition, modification, or deletion of conditions and provisions associated with any approval of an extension in time for the development of a permit.

Definitions:

Good cause – a legally sufficient reason that is not unreasonable, arbitrary, or irrational under the facts of the specific case. Good cause includes prevention or restriction of water use by operation of federal laws for a water right permit issued for a federal reclamation project.

Good faith – an honest intent and sincere desire as reflected by the actions taken to pursue the project with due diligence and put the allocated water to beneficial use in a timely manner.

Due diligence – a measure of prudence and activity as is reasonably expected under the facts of the specific or individual request.

Public interest – the balance of positive and negative impacts to the public at large that would result from a requested action such as extending a development schedule. Considerations should include environmental, aesthetic, recreational, public health and safety, economic effects, and impacts on publicly owned resources and facilities. General guidelines for consideration of the public interest are set forth in the water resources fundamentals in RCW 90.54.020. The public interest can also be presumed to be reflected in watershed plans, ground water area management programs, related water supply plans, water conservation plans, administrative rules, and local plans and ordinances.

Public welfare – the prosperity, well being, or convenience of the public at large, or of a whole community, as distinguished from the advantage of an individual or limited class.

