



## Green Shorelines for Lakes Washington and Sammamish: Coordination and Communication Workshops

### References:

University of Washington Keystone Study

2007-2008 Project: **Lake Washington Shoreline Permitting Process Study**  
([http://courses.washington.edu/emksp07/NOAA\\_AltTradShorelines/](http://courses.washington.edu/emksp07/NOAA_AltTradShorelines/))

Army Corps of Engineers Programmatic for Lake Washington Shoreline Activities

[http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=BankStablk  
Wash](http://www.nws.usace.army.mil/PublicMenu/Menu.cfm?sitename=REG&pagename=BankStablkWash)

### Quick Guide to Terms and Acronyms:

**ECY** Washington State; Department of Ecology.

**ORA** Washington State, Governor's Office of Regulatory Assistance.

**Corps** U.S. Army Corps of Engineers.

**SPU** Seattle Public Utilities.

**WRIA** (Water Resource Inventory Area) A system that the Department of Ecology and other state resource agencies use to number and catalog watersheds, streams, and rivers in the state of Washington. WRIs were formalized under Washington Administrative Code (WAC) 173-500-040 and authorized under the Water Resources Act of 1971, Revised Code of Washington (RCW) 90.54.

**WRIA 8** Lake Washington / Cedar / Sammamish Watershed.

**Mitigation** Countering the negative environmental impacts that developing the land can have on wetlands, rivers, streams, lakes, and other deep-water habitats.

**DNR and Aquatic Use Authorization** The Department of Natural Resources (DNR) manages areas of the 2.6 million acres of state-owned aquatic lands such as the tidelands and beds of Puget Sound, lakes, and rivers under Chapter 79.105 RCW. Authorizations may include leases for marinas, shellfish beds, rights of way across these watery lands, and a host of other activities.

**SEPA** (State Environmental Policy Act) SEPA provides the framework for agencies to consider the environmental consequences of a proposal before taking action. It also gives agencies the ability to condition or deny a proposal due to identified likely significant adverse impacts. SEPA was enacted in 1971 and is implemented through the SEPA Rules, Chapter 197-11 WAC.



**NEPA** (National Environmental Policy Act) The National Environmental Policy Act (NEPA) of 1969, as amended, requires an environmental impact review of federal actions. The State of Washington administers and enforces SEPA, which is similar to the federal NEPA.

**SMP** (Shoreline Master Program) Under the Shoreline Management Act, local SMPs regulate new development and use of shorelines along larger rivers, lakes over 20 acres and marine waterfronts. Three types of permits issued by local jurisdictions under SMP: Substantial Development, Conditional Use, and Variance. In addition, certain activities that are exempt from the Substantial Development Permit process should be documented with an Exemption Letter.

**GMA** (Growth Management Act) The GMA requires comprehensive land use planning by counties and cities under Chapter 36.70A RCW. The environmental planning goal is to "protect the environment and enhance the state's high quality of life, including air and water quality, and the availability of water" (RCW 36.70A.020).

**CAO** (Critical Areas Ordinance) The GMA requires counties and cities to include the best available science in developing policies and development regulations to protect the functions and values of critical areas. The designation and protection of "critical areas" is to prevent harm to the community from natural hazards and to protect natural resources. Natural hazards are frequently flooded areas and geologically hazardous areas. Natural resources are wetlands, fish and wildlife habitat conservation areas, and "areas with a critical recharging effect on aquifers used for potable water."

**Local Project Review Act** It requires all counties and cities to combine permit review and environmental review, and to consolidate administrative appeals of permit and SEPA decisions. Integrated project review provides a more streamlined permit and environmental review process by reducing duplication and paperwork.

**JARPA** (Joint Aquatic Resource Permit Application) Fill out a JARPA to apply for Hydraulic Project Approvals, Shoreline Management Permits, Water Quality Certifications, and U.S. Army Corps of Engineers Section 404 and Section 10 permits.

**Ordinary High Water (OHW) Mark** The common and usual presence and action of waters that mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation.

**WDFW** Washington State Department of Fish and Wildlife

**HPA** (Hydraulic Project Approval) Any person, organization, or government agency wishing to conduct any construction activity that will use, divert, obstruct, or change the bed or flow of state waters must do so under the terms of a permit (HPA) issued by the Washington State Department of Fish and Wildlife (WDFW) under Chapter 77.55 RCW.

**Corps and 404/Section 10** Section 404 of the Clean Water Act requires approval prior to discharging dredged or fill material into the waters of the United States, including special aquatic sites such as wetlands. Section 10 of the Rivers and Harbors Act of 1899 requires approval prior to the accomplishment of any work in, over or under navigable waters of the United States, or which affects the course, location, condition or capacity of such waters.

**Regional General Permit** A regional general permit (RGP) is a Department of the Army authorization that is issued on a regional (limited geographic scope) basis for a category of



activities when those activities are substantially similar in nature and cause only minimal individual and cumulative impacts on the aquatic environment. Each RGP has a number of terms and conditions that must be met in order for an applicant to use an RGP. In most instances, anyone complying with the terms and conditions of an RGP may receive project specific authorization.

**NWP (Nationwide Permit)** A permit issued by the Corps of Engineers for projects with minimal impacts. A nationwide permit is a form of general permit which authorizes a category of activities throughout the nation. These permits are valid only if the conditions applicable to the permits are met. If the conditions cannot be met, a regional or individual permit will be required.

**Individual Permit** Individual permits are usually related to major activities or significant environmental impacts. The permit decision is generally based on the outcome of a public interest balancing process where the benefits of the project are balanced against the detriments. A permit will be granted unless the proposal is found to be contrary to the public interest. Processing time usually takes 60 to 120 days unless a public hearing is required or an environmental statement must be prepared.

**Letters of Permission** A Letter of Permission is a type of permit issued through an abbreviated processing procedure. This permit is normally used for activities in navigable waters where objections are unlikely, and the activity does not qualify for a General Permit.

**Programmatic Permit** This is a type of general permit founded on an existing state, local or other federal agency program and designed to avoid duplication with that program. For example, a Programmatic Consultation with the Corps is a process where the required Section 7 consultation is done "ahead of time." So when an application for a programmatic work activity is received, the consultation part of the permit evaluation process has already been completed, thus streamlining the permit process.

**ESA (Endangered Species Act)** The Endangered Species Act of 1973 protects plant and animal species that are listed by the federal government as "endangered" or "threatened," as well as critical habitat necessary for the protection of these species. If an ESA listed species is present or ever has been present in the watershed where a project will be located, the project has the potential for affecting them, and it will need to comply with the ESA. For permits issued by the Corps, consultation with NMFS and USFW is referred to as a Section 7 consultation.

**NOAA** National Oceanic and Atmospheric Administration.

**NMFS** NOAA National Marine Fisheries Service. Often referred to as "fisheries" or collectively as "the services" with USFWS.

**USFW or USFWS** U.S. Fish and Wildlife Service.

**ECY and 401 (401 Water Quality Certification)** Per Section 401 of the Clean Water Act, an applicant for a federal permit to conduct any activity that may result in a discharge of a pollutant into waters of the United States is required to obtain a certification from the state. It allows states to approve, condition, or deny projects proposed to be built in wetlands or in other waters of the United States.

**ECY CZM (Coastal Zone Management)** Under the federal Coastal Zone Management Act, projects requiring federal permits or approvals must be consistent with the state's Coastal Zone Management



Program. An applicant for a federal permit pertaining to activity in a state's coastal zone must certify that the proposed activity will comply with the state's coastal zone management (CZM) program.

**NPDES** (National Pollutant Discharge Elimination System) The Department of Ecology issues this permit to prevent the pollution of the States surface waters. An individual permit is written for a specific discharge at a specific location. The individual permit is highly tailored to regulate the pollutants in the discharge. An individual permit may be an NPDES permit for discharges to surface waters.

**RCW** (Revised Code of Washington) Current statutes or laws as passed by the state Legislature. You can navigate the statutes by title, chapter, and section.

**WAC** (Washington Administrative Code) Regulations of executive branch agencies are issued by authority of statutes. The WAC codifies the regulations or rules used by agencies to "fill in the gaps" of legislation. WAC arranges them by subject or agency.