



# Frequently Asked Questions about Extensions for Water Right Permits and Change Authorizations

## Ecology's Water Resources Program

Water right permits and change authorizations often contain a development schedule. The development schedule specifies when you must begin and complete your project and put the water to full beneficial use. The Department of Ecology (Ecology) works with you to determine this schedule before issuing the permit or change authorization.

You must meet the development schedule or your permit or change authorization may be cancelled. Since delays are sometimes unavoidable, state law allows you to request an extension when you need more time.

Ecology issues extensions when unforeseen conditions delay a project. We do not issue extensions when there is a lack of diligence in developing the project.

### **Q: How do I request an extension?**

**A:** You must request an extension in writing and include a fee of **\$50**. Your request should be in letter format and must contain the following information:

- The reason you need an extension, with details and reasons why the development schedule should be extended. (You may also provide any other information or materials that support your request.)
- A description of efforts made since the permit or change authorization was issued or the last extension was granted.
- The new schedule you propose for completing the project.

Ecology may request other information before processing your request.

### **Send the extension request letter and \$50 fee to:**

Department of Ecology  
Cashiering Unit  
PO Box 47611  
Olympia WA 98504-7611

### **Q: How are extensions granted?**

**A:** Ecology may approve extensions when appropriate information is submitted. When setting a new development schedule, Ecology considers the complexity of the project and the reasons why you have failed to meet the existing development schedule. Development schedules may be extended on a year-by-year basis or for longer periods as needed.

When Ecology grants an extension, you may be required to meet specific goals within the extension period. These may include construction goals, or gaining financing or needed permits. These may have scheduled deadlines to ensure you make progress towards completing your project.

### **Q: Can extensions contain new provisions?**

**A:** As a condition of an extension, Ecology may add new provisions based on current information. These provisions may include, but are not limited to:



- Metering and reporting of water use (RCW 90.03.360, RCW 90.44.450 and WAC 508-12-030)
- Conservation planning
- Other provisions to protect the public interest.

**Q: What happens after Ecology grants my request for an extension?**

**A:** After the extension is granted, you will receive an Order or decision authorizing the extension. The Order or decision will:

- Outline the reasons for granting the extension
- Include any goals, and provisions imposed as a condition of the approval
- List any information that you must provide
- Include appropriate appeal language.

**Q: What if I fail to request an extension or Ecology denies my request?**

**A:** You are responsible for ensuring that your permit or change authorization is in good standing. This includes requesting an extension when needed. If you do not meet your development schedule and fail to request an extension, Ecology may attempt to contact you by mail or telephone.

Some reasons Ecology may deny your request for an extension include:

- If you have not shown good cause or good faith in diligently meeting the development schedule.
- The project cannot be pursued further, even with added conditions or provisions, without detriment to the public interest.
- The original intent of the project has changed, including the stated future water use.
- It is otherwise prohibited by law or rule [See WAC 173-130A-160 and WAC 173-134A-080 (2)(0)].

If you do not request an extension or Ecology denies your request, we will:

- Begin cancellation of the permit or change authorization, and
- For water right permits, issue a water right certificate for any developed portion of your permit.

Before cancelling a permit or change authorization, Ecology will send you a 60-day show-cause letter. The show-cause letters will then be followed by a Cancellation Order that contains information on appeals.

**Q: Can a decision on an extension be appealed?**

**A:** Yes. You or another interested party may appeal these types of decision to the Washington State Pollution Control Hearings Board. Information concerning the appeal process will be provided in the extension document or Cancellation Order.

**If you have additional questions, please contact the Ecology regional office nearest you.**

Northwest Regional Office  
3190 160th Avenue SE  
Bellevue WA 98008-5452  
(425) 649-7000

Central Regional Office  
15 W Yakima Ave, Suite 200  
Yakima WA 98902-3452  
(509) 575-2490

Southwest Regional Office  
PO Box 47775  
Olympia WA 98504-7775  
(360) 407-6300

Eastern Regional Office  
N 4601 Monroe  
Spokane WA 99205-1295  
(509) 329-3400