

Permits Associated with Joint Aquatic Resource Permits Application (JARPA) *Intended as a guide only; information subject to change. Call (360) 407-7037 for more information.*

Permit	Purpose	Trigger/Activity	Responsible Agency	Costs	Complete Application Requirements	Permit Dependency	Timeframe	Duration of Permit	Internal Review Process	Opportunity for Appeal	Statutory Authority	Special Notes
Hydraulic Project Approval (HPA)	To provide protection for fish, shellfish, and their habitats..	Work that uses, diverts, obstructs, or changes the natural flow or bed of state waters.	Department of Fish and Wildlife, Habitat Program	No charges for HPA.	As per JARPA; must contain general plans for project, complete plans and specs for proposed work within high water mark, and complete plans for protection of fish life.	SEPA (State Environmental Policy Act) compliance must be complete prior to issuance of the HPA.	For a standard HPA, max.of 45 calendar days after receipt of a complete app. and SEPA compliance; max of 15 days for an expedited HPA; immediately for emergency HPA.	Up to five years for a standard HPA; up to 60 days for an expedited HPA.	Applications are sent and logged in at Headquarters and then reviewed and acted on by biologists in the regional offices.	Informal and formal appeal processes are available to the applicant and general public, but must be filed within 30 days of HPA decision.	Chapter 77.55 RCW - Chapter 220.110 WAC	<i>Streamlined HPAs</i> are available for qualifying fish habitat enhancement projects. <i>Pamphlet HPAs</i> , which don't require an application or individual HPA, are available for mineral prospecting and noxious plant control activities.
Water Quality Certification (401)	To ensure that federally permitted activities comply with the federal Clean Water Act, state water quality laws, and any other state aquatic protection requirements.	Applying for a federal license or permit for any activity that could cause a discharge of dredge or fill material into water or wetlands, or excavation in water or wetlands.	Ecology Headquarters - Shorelands and Environmental Assistance Program, Environmental Coordination Section	No fee for certification.	None.	In most cases, SEPA compliance, HPA, Water Rights and Shoreline Permits must be obtained before pre-certification can be issued.	Min. 20 day public notice; up to one year to approve, condition, or deny. Usually less than three months. Some Nationwide Permits are pre-certified and take only days or weeks.	Five years.	Ecology Headquarters, Shorelines and Environmental Assistance Program	Appealable to Pollution Control Hearings Board within 30 days of Ecology decision. P.C.H.B. May not hear case for 6 months or more.	Federal Clean Water Act, Section 401 Chapter 173-225 WAC	
Coastal Zone Management Certification (CZM)	To ensure compliance with state and federal Clean Water Act, Clean Air Act, Wa. State Env. Policy Act, Shoreline Management Act & Energy Facility Site Evaluation Criteria.	Conducting projects authorized by the federal agencies and/or applying for certain federal permits or funding.	The federal permitting agency, or Ecology Headquarters, Shorelands and Environmental Assistance Program.	None	As contained within JARPA	Water Quality Certification, SEPA compliance, Shoreline permit, Air permits & compliance with Energy Facility Site Evaluation Criteria if applicable.	CZM decision must be made within six months of Corps of Engineers public notice.	N/A	Ecology Headquarters, Shorelines and Environmental Assistance Program.	Secretary of Commerce, Washington D.C.	Federal Law: U.S. Coastal Zone Management Act (16 U.S.C. 1451 et seq.) and its regulations (15 CFR. Parts 923-930)	Applies to 15 coastal zone counties, and for projects outside the 15 counties that may impact a coastal resource.
U.S. Army Corps of Engineers 404 Individual Permits: Discharge of Dredge and Fill Material	To restore and maintain the chemical, physical, and biological integrity of the nation's waters.	Placing a structure, excavating (including land clearing), or discharging dredged or fill material in waters of the United States, including wetlands.	U.S. Army Corps of Engineers, Seattle District Regulatory Branch	Fees federally established; currently: \$100 for companies, \$10 for individuals, and \$0 for public agencies.	As contained within JARPA.	NEPA compliance, Water Quality Certification (401), and Coastal Zone Management (CZM). See 401 and CZM sections for addl permit requirements.	Normally issued within 120 days, but may take up to a year or more depending on project complexity.	Generally three years, but can be longer.	After receipt & review of complete application, there is a 30 day public notice period. Continuance of process dependent upon comments received.	No internal appeal process.	Section 404 of the Clean Water Act (33 U.S.C. 1344)	The COE prefers that diagrams not include extraneous information; they should only diagram activities that are within COE jurisdiction.
U.S. Army Corps of Engineers 404 & Section 10 Nationwide Permits	Provides authorization on a nationwide level for activities with minimal environmental impacts which do not require individual permits as long as they comply with the nationwide permit.	Typical activities: navigation markers, utility lines, bank stabilization, wetland and riparian restoration, cranberry production, minor road crossings and bridges, minor dredge and fill.	U.S. Army Corps of Engineers, Seattle District Regulatory Branch	Fees Federally established (see above).	As contained within JARPA.	Water Quality Certification (401) and Coastal Zone Management (CZM) are often pre-approved. It is necessary to check each Nationwide for the requirements.	Some Nationwide permits must be issued by the COE within 30 to 45 days of the COEs receipt of a complete application.	Two years (extensions possible).	Varies depending on which Nationwide permits are used.	No internal appeal process.	Section 404 of the Clean Water Act (33 U.S.C. 1344) and Section 10 of the Rivers and Harbors Act (33 U.S.C. 403).	
U.S. Army Corps of Engineers Section 10 of the Rivers & Harbors Act, Individual Permit: Work in Navigable Waters	Prohibits the obstruction or alteration of navigable waters of the United States without a permit from the Corps of Engineers.	Placement of structures and discharge of material in navigable waters of the U.S., including wetlands. Typical activities include boat docks, floats, buoys, etc.	U.S. Army Corps of Engineers, Seattle Regulatory Branch.	Fees federally established (see above).	As contained within JARPA	Coastal Zone Management Certification (CZM).	Normally issued within 120 days, but may take up to a year or more depending on project complexity.	Generally three years, but can be longer.	After receipt of complete application, there is a 30 day public notice period. Continuance of process dependant upon comments received.	No internal appeal process.	Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403)	

NOTE: The JARPA Form no longer includes the Approval to Allow Temporary Exceedance of Water Quality Standards (Short-Term Modifications). Activities will either need to use the Best Management Practices described in this booklet to meet water quality standards or the discharges associated

The issuance of Short-Term Modifications is eliminated for many activities that previously were regulated through administrative orders. Most of these with these activities will need to be authorized through other permits or certifications. Please contact your Regional Ecology office for more information.

Permit	Purpose	Trigger/Activity	Responsible Agency	Costs	Complete Application Requirements	Permit Dependency	Timeframe	Duration of Permit	Internal Review Process	Opportunity for Appeal	Statutory Authority	Special Notes
U.S. Coast Guard, Section 9 of the Rivers & Harbors Act	Prohibits the obstruction of navigable waters by bridge construction or replacement.	Bridge construction or replacement in navigable waters.	U.S. Coast Guard	None.	As contained within JARPA.	NEPA compliance, Coastal Zone Management Certification (CZM) and Water Quality Certification (401).	Usually issued within 60 days of receipt of WQ Certification and CZM.	Term may be requested by applicant, but may be conditioned to expire if project fails to start within 3 years and finish in 5.	There is a thirty-day comment period with public notice; continuance of process dependant upon comments received.	Opportunity for appeal through Commandant of the Coast Guard who will act on the appeal within 90 days of receipt.	Section 9 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401)	
Shoreline Substantial Development Permit	To provide public involvement in the permit process and to foster appropriate uses and protection of the shorelines of the state.	Interfering with normal public use of water/shorelines of the state, or developing or conducting an activity valued at \$2500 or more on the water or shoreline area.	Local Government (City or County). The Shoreline Management Act is implemented by local government, but Ecology ensures compliance and provides assistance.	Costs and basis for fees vary by jurisdiction. Some local govts charge a flat rate and others a % of the projects total value.)	As contained within the Joint Aquatic Resource Permits Application (JARPA).	SEPA compliance must be met prior to local permit decisions.	Highly dependant on local permit process; average timeframe ranges from two to four months.	5 years, but some action must be taken within 2 years of the effective date of the permit. Possibility of a 1-year extension (rarely longer).	Application submitted to local government; upon final decision by local government, permit is filed with Department of Ecology.	A 21 day appeal period starts when local govt decision is filed by Ecology. All Shoreline decisions can be appealed to the WA State Shorelines Hearings Board.	Chapter 90.58 RCW Chapters 173-27 WAC. Also see Local Government regulations.	Shorelines are lakes, including reservoirs, of 20 acres or greater; streams with a mean annual flow of 20 cubic feet per second or greater; marine waters; and all associated marshes, bogs, swamps, and river deltas.
Shoreline Letter of Exemption	Generally, if developments meet precise terms of at least one exemption listed in WAC 173-27-040, they may be granted exemption from substantial development permit requirements.	Examples of exempt activities: normal maintenance or repair of existing structures, construction of normal protective bulkhead common to single-family homes, and some agricultural and ranching activities. (WAC has complete list.)	Local government, with the Department of Ecology acting as the coordinating agency for federal review if federal permits are required.	Filing fee established by local government and payable at the time of application.	Burden of proof of exemption is on the applicant. Local government may attach conditions to the approval of exempted developments and/or uses as necessary.	If federal permits are required (especially Corps 404 and Section 10), applicant may need to provide proof of compliance with state laws (see internal process column).	Dependant upon nature of exemption.	N/A	If federal permits are required, local govt prepares a letter of exemption, addressed to the applicant and Ecology (with reference to Section 10 and 404 permit) indicating specific exemption provision.	Appeal process at local level only.	Chapter 90.58 RCW Chapter 173-27 WAC. Also see Local Government regulations.	An exemption from the substantial development permit process is not an exemption from compliance with the act or the local master program, nor from any other regulatory requirements. (See WAC 173-27-040.)
Shoreline Conditional Use Permit or Variance Review Process	To provide a system within the Master Program which allows flexibility in the application of use regulations.	Projects requiring a Shoreline Permit. Projects meeting specific criteria identified in the Master Program or for unclassified uses need a Conditional Use Permit; a Variance is an exception or waiver of specific size standards.	Local Government (City or County). However, the Department of Ecology must also approve, condition, or deny the permit.	Same as the Shoreline Substantial Development Permit.	Similar to the Shoreline Substantial Development Permit; additional site information is required. See WAC 173-27-180.	SEPA requirements must be completed prior to local permit decisions.	After receipt of Local Government permit decision, the Department of Ecology may take up to 30 days to approve, condition, or deny the permit.	Duration of permit is not applicable.	After local govt approves conditional use or variance permit, they submit it to Ecology for review. Ecology notifies local govt of its decision and does an official filing.	21-day appeal period begins when Ecology files local govt decision. All Shoreline decisions can be appealed to the WA State Shorelines Hearings Board.	Chapter 173-27 WAC; Chapter RCW 90.58.140 (3)	Applicants burden of proof is very important in variance applications. Variance criteria are very closely scrutinized and must all be fulfilled for the permit to be approved at the state level.
Aquatic Use Authorization (Aquatic Lease)	Temporary transfer of property rights for specified period of time.	Using state owned aquatic lands (includes harbors, state tidelands, shorelands, and beds of navigable waters.)	Dept. Of Natural Resources, Division of Aquatic Resources	Costs are variable.	Application must include: location; proposed use; physical improvements; local, state, and federal regulatory requirements; and a property survey.	All required permits desired prior to authorization.	May range from six months to one year.	Up to 50 years, depending on project and location.	Logged in and written at Regional Office, but circulated to Headquarters.	Fees only are appealable to the Division Manager. The ability to lease the land (if encumbered) is not appealable.	Chapter 79.90 through 79.96 RCW Chapter 332-30 WAC	Aquatic Lease is subject to property law rather than regulatory law.
Compliance with Critical Areas Standards for Local Project Permits	To protect locally designated critical areas.	Proposing a development project near or in critical areas.	Local Government (City or County)	Costs vary by jurisdiction.	Varies by jurisdiction.	Compliance with all applicable local, state, and federal permit requirements.	Varies by jurisdiction, permit authority, and complexity of the proposal. Subject to timing requirements of RCW 36.70B.	Varies by jurisdiction and permit authority.	Varies by jurisdiction and permit authority.	Varies by jurisdiction and permit authority.	City and county codes; local land use permit ordinance.	Critical areas are locally designated wetlands, geological hazard areas, aquifer recharge areas, fish and wildlife habitat conservation areas, and frequently flooded areas.