

POL 5206

WATER RESOURCES PROGRAM POLICY

Resource Contact: Dam Safety Office

Effective Date: 06-01-93

References: RCW 90.03.350
Chapter 173-175 WAC
Chapter 197-11 WAC

Revised: 07-01-1999

SEPA COMPLIANCE AS RELATED TO ISSUANCE OF CONSTRUCTION PERMIT

POLICY STATEMENT:

The timing of the issuance of the Dam Construction Permit relative to completion of the State Environmental Policy Act (SEPA), is governed by WAC 197-11-070(1).

Therefore, standard policy shall be to issue the Dam Construction Permit after the SEPA process has been satisfactorily completed. That is, after either a Determination of Non-significance (DNS), a Mitigated DNS, or a Final Environmental Impact Statement (FEIS) has been issued for the project.

The only exception to this policy is where emergency conditions (WAC 197-11-880) warrant that repairs or other construction actions be taken swiftly, to prevent an imminent threat to public health or safety, prevent imminent danger to public or private property, or prevent imminent threat of serious environmental degradation.

DISCUSSION:

This Policy is intended to have DSO actions consistent with SEPA, but to allow for some flexibility in the event of an emergency situation developing at a dam, where SEPA compliance is not practical.

PROCEDURES:

The DSO Project Leader shall coordinate with the Environmental Review Section of the Shorelands and Environmental Assistance (SEA) Program, to ensure that the SEPA process has been completed before approving plans and issuing the Dam Construction Permit.

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Special Note: These policies and procedures are used to guide and ensure consistency among water resources program staff in the administration of laws and regulations. These policies and procedures are not formal administrative regulations that have been adopted through a rule-making process. In some cases, the policies may not reflect subsequent changes in statutory law or judicial findings, but they are indicative of the department's practices and interpretations of laws and regulations at the time they are adopted. If you have any questions regarding a policy or procedure, please contact the department.