

Matrix of Permitting a “Typical” Salmon Recovery Project  
In the Upper Columbia

Permit Application/Process	Resulting Decision(s)	Types of Projects Requiring A Permit from Column 2	Comments	Lead Agency
JARPA	<ul style="list-style-type: none"> <li>• ACOE Permit (404)</li> <li>• WDOE Clean Water (401)</li> <li>• WDFW Hydraulic Project Approval               <ul style="list-style-type: none"> <li>○ Standard or</li> <li>○ Fish Enhancement</li> </ul> </li> <li>• WDNR Aquatic Land Lease</li> <li>• County/City Shoreline and Floodplain Approval</li> <li>• WDOE Shoreline Approval (Conditional Use Permits)</li> </ul>	<ul style="list-style-type: none"> <li>• Projects that affect the stream, bed or flow in State waters</li> <li>• If projects are within the shoreline environment or associated floodplain, depending upon local regulations (shoreline and floodplain)</li> <li>• Statewide categorical exclusions exist for identified projects</li> </ul>	<ul style="list-style-type: none"> <li>• The definition of when a JARPA is required differs among the Counties</li> <li>• If WDNR or SRFB-funded project, then cultural resources permits are required</li> <li>• Project sponsors are ultimately responsible for understanding the types of permits needed and confirm those that are approved</li> <li>• WDFW HPA Fish Enhancement permits issued for removal of human-made barrier, bank stabilization or instream structures like LWD (exempt from SEPA and</li> </ul>	

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			shorelines) <ul style="list-style-type: none"> <li>Placement of LWD may require WDNR lease permits and liability insurance</li> </ul>	
Critical Areas Review	<ul style="list-style-type: none"> <li>Critical Area Permit, Conditions or Exemption Placed on a Development Permit</li> </ul>	<ul style="list-style-type: none"> <li>Projects that affect “fish and wildlife conservation areas” and “wetlands”</li> </ul>	<ul style="list-style-type: none"> <li>Varies between cities and counties</li> </ul>	Respective City or County
SEPA	<ul style="list-style-type: none"> <li>DNS or MDNS or DS</li> </ul>	<ul style="list-style-type: none"> <li>Change a channel</li> <li>50 yds<sup>3</sup> of material</li> <li>Federal, state or local agency as the lead</li> </ul>	<ul style="list-style-type: none"> <li>SEPA required for a federal action on non-federal lands</li> <li>Can be used as formal public notification process for BPA and for a notification to WDOE</li> <li>Review watershed planning (2514) SEPA compliance where appropriate</li> </ul>	
Landowner and Lease Holder Agreements	<ul style="list-style-type: none"> <li>Permission to construct and/or allow access to the property for the</li> </ul>		<ul style="list-style-type: none"> <li>These are typically time sensitive</li> </ul>	PUDs WDNR WDFW WSDOT

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	project <ul style="list-style-type: none"> <li>• Permission for archaeological and cultural, or other, surveys needed</li> </ul>			FAA FERC BLM USFS BNSF Private landowners
If there is a federal nexus: <ul style="list-style-type: none"> <li>○ ACOE permit</li> <li>○ Federal funding</li> <li>○ Federal land</li> <li>○ Federal technical assistance</li> </ul>				
NHPA Section 106 Archaeology	Section 106 Letter of Review and Action	All state and federal projects potentially affecting archaeological or cultural sites	<ul style="list-style-type: none"> <li>• The result of the review is a letter of consultation saying the project is categorically excluded or needs a full cultural review</li> <li>• Project sponsor should send a request for review to the potentially-affected Tribes, preferably early in the project development process</li> <li>• An archaeological survey may be</li> </ul>	Dept of Archaeology and Historic Preservation (DAHP)

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			required, which requires a separate permit	
Federal ESA Section 7 Consultation Biological Assessment (BA) <ul style="list-style-type: none"> <li>○ Informal</li> <li>○ Formal</li> </ul>	Informal: <ul style="list-style-type: none"> <li>• Effects determination stated in a letter of concurrence (7d)</li> </ul> Formal: <ul style="list-style-type: none"> <li>• BiOp including Incidental Take Statement, and Terms and Conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Projects with federal nexus requiring ESA Section 7 consultation</li> </ul>	<ul style="list-style-type: none"> <li>• Gives the project sponsor a specific amount of “take”</li> <li>• Section 7 consultation provides liability protection</li> <li>• Two agencies require consultation (USFWS and NOAA)</li> <li>• Magnuson Stevenson concurrence (for salmon) should be included</li> <li>• Some federal agencies (funders/landowners) will take the lead on this process (e.g. BPA)</li> </ul>	USFWS NOAA BPA (programmatic)
NEPA	Decision memo for Categorical Exclusion (CE) or Finding of No Significant Impacts (FONSI) or	All federal projects (i.e. funding, landowners)	<ul style="list-style-type: none"> <li>• Federal money passed through NGOs may not require NEPA</li> <li>• Federal money</li> </ul>	USFS BOR BLM USFWS NOAA

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	Determination of Significance (EIS)		through SRFB does require NEPA	BPA
Programmatic Biological Assessment (Specific Project Information Form (SPIF))	Nationwide or individual ACOE permit consistent with ESA consultation	T&E species projects with a federal nexus <ul style="list-style-type: none"> <li>List of 10 “approved” projects in the BA</li> </ul>	<ul style="list-style-type: none"> <li>Project sponsors need to verify with the federal funding sources that this is sufficient for consultation</li> </ul>	ACOE
Hazard Analysis Site Review	Mitigation Plan that addresses reduction of introduced species	<ul style="list-style-type: none"> <li>All USFWS-funded projects</li> </ul>	<ul style="list-style-type: none"> <li>This is a funding requirement for USFWS (potentially other federal agencies in the future)</li> </ul>	USFWS
Level 1 Contaminant Survey	Concurrence that real estate is free from contamination, or recommendation for a Level II or Level III survey	Acquisitions and habitat restoration through USFWS-funded projects		USFWS

Take Home Messages:

- True streamlining means involving permitting agencies up front as much as possible. Continue a forum for collaboration among all permitting agencies and project sponsors.
- Identify inconsistencies in permitting agency requirements and goals.
- Shift state streamlining process from Olympia to the region. Concern about potential changes to HPA process.

- Certification series of classes for contractors and designers of fish projects in the Upper Columbia (February/November).
- Mediate the LWD issue with WDNR land leases.