

Broadband Projects

Environmental Permit Table

Broadband Projects- Permits

The table below is for reference purposes only. Applicants must check with private and regulatory authorities to verify compliance with permits. Permit may vary based on site conditions. For more information, go to ORIA's website at <http://www.oria.wa.gov> or contact the Information Center at (800) 917-0043 or help@oria.wa.gov

LOCAL PERMITS

Permit	Lead Agency	Purpose
Permit to Erect and Maintain Structures	Irrigation Districts	This permit allows structures, utility poles, communication towers, or other structures to be constructed within irrigation district lands.
Building Permit	Local jurisdiction	This is required for construction of permanent buildings or additions to existing facilities. It is also required for any equipment shelters, generator housing structures, communication towers, or other permanent structures.
Critical Areas Permit		Critical Areas Ordinances regulate activities that impact wetlands, aquifer recharge areas, habitat conservation areas, frequently flooded areas, and geographically hazardous areas.
Floodplain Development Permit		Cities and counties that participate in the National Flood Insurance Program regulate work in 100-year floodplains to reduce the potential of damage from flooding.
Franchise Agreement		Agreements are administered by the city or county for the right to construct, operate, and maintain broadband infrastructure within rights-of-way.
Shoreline Master Program Permit		Shoreline Master Programs (SMPs) regulate work within 200 feet of a water body. SMPs contain three different permits (Substantial Development, Conditional Use, and Variance) and an Exemption.
State Environmental Policy Act (SEPA)		SEPA Environmental Checklists support analysis of the environmental impacts of the project. SEPA must be completed before permit decisions can be made.

STATE PERMITS

Permit	Lead Agency	Purpose
Section 106 Review	Department of Archaeology and Historic Preservation	Projects that receive a federal permit or license, federal funds, or other assistance or approval from federal agencies must comply with Section 106 of the National Historic Preservation Act of 1966.
401 Water Quality Certification	Department of Ecology	Applicants receiving a permit from the U.S. Army Corps of Engineers are required to obtain this certification. It verifies that the project will comply with state water quality standards and other aquatic resource protection requirements under Ecology's authority.
Coastal Zone Management (CZM) Certification		Activities in any of Washington's 15 coastal counties involving federal activities, federal permits, or federal funding require this certification.
National Pollution Discharge Elimination System (NPDES) Construction Stormwater Permit	Department of Ecology	This permit is required for construction activities that disturb one or more acres and may result in a discharge of stormwater to surface waters of the state, which includes storm drains, ditches, wetlands, creeks, rivers, lakes, and marine waters.

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STATE PERMITS CONTINUED

Permit	Lead Agency	Purpose
Hydraulic Project Approval (HPA)	Department of Fish and Wildlife (WDFW)	Work that uses, diverts, obstructs, or changes the natural flow or bed of any of the salt or fresh waters of the state requires this permit. This includes bed reconfiguration, all construction or other work waterward, under and over the water, including dry channels, and may include projects on land near the water.
Aquatic Use Authorization	Department of Natural Resources (DNR)	Activities taking place on state-owned aquatic lands require a lease or other form of authorization (easement or right-of-way).
Uplands Right-of-Way Permit		Any work within DNR owned lands will need a right-of-way permit, even if the broadband is within a state or local right-of-way.
Franchise Agreement or Right-of-Way Permit	Department of Transportation (WSDOT)	Any form of work done within or crossing WSDOT right-of-way requires a franchise agreement. If the work crosses a state road, a right-of-way permit is required.
Right-of-Way Permit	State Parks and Recreation Commission	Any work within or near State Parks will need to verify if a right-of-way permit is needed.

FEDERAL PERMITS

Permit	Lead Agency	Purpose
Section 10 Permit	Army Corps of Engineers	Any work in, over, or under navigable water of the United States requires this permit.
Section 404 Permit		This is required for utility line construction in or over water or through wetlands.
National Scenic Area Act Land Use Permit	Department of Agriculture and Bureau of Land Management	This permit enforces development rules adopted by a locally governed commission.
Transportation and Utility Systems and Facilities Permit (Standard Form 299 Application)	Forest Service; Bureau of Land Management; Bureau of Reclamation; Department of Defense; Department of Energy; Fish and Wildlife Service; National Park Service	This is required for any encroachment by utility work on federally-owned lands. Various federal agencies are charged with protecting and managing the areas under the National Wild and Scenic Rivers Act; this form covers these areas as well.

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FEDERAL PERMITS CONTINUED

Permit	Lead Agency	Purpose
Section 7 Endangered Species Act Consultation	National Marine Fisheries Service and Fish and Wildlife Service	If your project might affect threatened or endangered species or their designated critical habitat under the Endangered Species Act, federal agencies must consult with the National Marine Fisheries Service and the U.S. Fish and Wildlife Service before they make a decision on an action.
National Environmental Policy Act (NEPA)	Federal Lead Agency	NEPA requires federal agencies, with tribal consultation, to consider the environmental consequences of an action prior to making a decision on the action. The federal lead agency is the agency responsible for all procedural aspects of NEPA compliance.

PRIVATE LAND PERMITS

Permit	Lead Agency	Purpose
Wire Line Crossing Permit	Railroad corridors	This permit is for installation over or under railway lands.
Easement and/or Consent Agreement	Tribes or other private land owners	Agreements are for installation of fiber broadband across private land. Easements and consents are typically required.

If you require this document in another format, contact Office for Regulatory Innovation and Assistance. Persons with hearing loss can call 711 for Washington Relay Service. Persons with a speech disability can call (877) 833-6341.