

Section 9401

Northwest Area Contingency Plan Permit Summary Table

| Permit Name | Agency | Operation | Purpose of Permit | Waiver? Equivalent Standard? Timing? | Additional Information | Application Form |
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| FEDERAL PERMITS | | | | | | |
| Work on Structures in Navigable Waters, Section 10 permits | U.S. Army Corps of Engineers | Projects in, over, or under U.S. navigable waters | Maintains and protects navigation in U.S. waters. Authorized under Section 10 of the Rivers & Harbors Act. Any project that creates an obstruction or alteration in, over, or under navigable U.S. waters. Includes construction and maintenance of piers, pilings, wharfs, and bulkheads. | | | JARPA*: http://www.epermittng.wa.gov/site/alias_resourcecenter/jarpa_form/9984/jarpa_form.aspx |
| Section 404 Permit | U.S. Army Corps of Engineers | Discharge of dredge or fill material into U.S. waters | If you plan to discharge dredged or fill material into the waters of the United States, including wetlands. | Also may need CZM, National Historic Preservation Act, Endangered Species Act, Tribal Trust Issues, and National Environmental Policy Act. | | JARPA (see above) |
| Resource Conservation and Recovery Act | Environmental Protection Agency (EPA) / 40 CFR 260-279 | Generation, transportation or disposal of hazardous waste | All waste must be manifested, labeled, and transported safely to a facility that is in compliance with EPA regulations | None | | |
| Consultation on Cultural Resources, Section 106 of the National Historic Preservation Act | Department of the Interior (DOI) | Federal projects that effect historic properties | Federal agencies must "take into account" the effect a project may have on historic properties. It allows interested parties an opportunity to comment on the potential impact projects may have on significant archaeological or historic sites. The main purpose for the establishment of the Section 106 review process is to minimize potential harm and damage to historic properties. | | http://www.achp.gov/106summary.html | |

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| FEDERAL PERMITS (continued) | | | | | | |
| Lane Closure Permit | Department of Transportation (DOT) | | | | | |
| Access to Lands Managed by DOI | DOI | | | | | |
| MBTA Rehabilitation Permit | DOI-FWS | Rehabilitation of migratory birds | Authorization to take, transport and temporarily possess sick, injured, and orphaned migratory birds with the goal of releasing them back to the wild. | | http://www.fws.gov/forms/3-200-10b.pdf | http://www.fws.gov/forms/3-200-10b.pdf |
| MBTA Rehabilitation Permit Incident Specific Authorization | DOI-FWS | Rehabilitation of oiled migratory birds | MBTA Rehabilitation Permit requires permit holder to obtain specific authorization from FOSC and FWS to work on each oil spill incident. | | http://www.fws.gov/forms/3-200-10b.pdf | http://www.fws.gov/forms/3-200-10b.pdf |
| MBTA Rehabilitation Permit Incident Specific Authorization | DOI-FWS | Recover dead oiled birds | Spill specific authorization is required to remove dead oiled birds at each oil spill incident. | | http://www.fws.gov/forms/3-200-10b.pdf | http://www.fws.gov/forms/3-200-10b.pdf |
| MBTA Special Purpose Salvage | DOI-FWS | Research/scientific study or education | Authorization to possess or collect dead migratory birds, nests, eggs and parts from the wild that you had no part in the killing or death thereof, for wildlife conservation education purposes. | | http://www.fws.gov/forms/3-200-10a.pdf | http://www.fws.gov/forms/3-200-10a.pdf |
| Migratory Bird Treaty Act (MBTA) Scientific Collecting Permit | DOI-FWS | Research or scientific study | Authorization to collect, transport or possess migratory birds, their parts, nests, or eggs for scientific research or educational purposes. | | http://www.fws.gov/forms/3-200-7.pdf | http://www.fws.gov/forms/3-200-7.pdf |
| Eagle Scientific Collecting/Research Permit | DOI-FWS | Research or collection of eagles | If you are researching or collecting eagles you need an Eagle Scientific Collecting Permit. Issued to researchers affiliated with public museums, scientific institutions, or zoological parks for scientific purposes. | | http://www.gpo.gov/fdsys/pkg/FR-2012-04-13/pdf/2012-8086.pdf | http://www.fws.gov/forms/3-200-7.pdf |
| National Park Special Use Purpose | DOI-NPS | Special activities taking place within a National Park | Required for activities that provide a benefit to an individual, group, or organization, rather than the public at large and for activities that require some degree of management by the National Park Service in order to protect park resources and the public interest. | | | <i>Permits vary for different activities and within different parks</i> |
| Marine Mammal Protection Act (MMPA) Permits | National Marine Fisheries Service (NMFS) - Office of Protected Resources | "Take" of marine mammals | The MMPA generally prohibits "take" of marine mammals in U.S. waters by any person and by U.S. citizens in international waters. NOAA Fisheries can authorize take for the following activities: Scientific research, enhancing the survival or recovery of a marine mammal species or stock, commercial and educational photography, first-time import for public display, capture of wild marine mammals for public display, incidental take during commercial fishing operations, and incidental take during non-fishery commercial activities. | | http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.html | https://apps.nmfs.noaa.gov/ |

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| FEDERAL PERMITS (continued) | | | | | | |
| NMFS Endangered Species Act Permits | NMFS - Office of Protected Resources | "Take" of an endangered or threatened species | Required for any activity resulting in the "take" of an endangered or threatened species, whether or not deliberate. Two types: Permits for scientific research or to enhance the propagation and survival of the species, and Permits for taking species incidental to (not the purpose of) an otherwise lawful activity. The latter must be accompanied by a Conservation Plan (CP), often referred to as a Habitat Conservation Plan (HCP). | | http://www.nmfs.noaa.gov/pr/permits/ESA_permits.html | https://apps.nmfs.noaa.gov/ |
| TRIBAL PERMITS | | | | | | |
| Makah Employment Rights | MECRA office | Work performed on Makah reservation land | In order to perform work on reservation land, fee must be paid to MECRA | | https://faaco.faa.gov/attachments/Makah_Employment_And_Contracting_Rights_Act_2004_.pdf | https://faaco.faa.gov/attachments/Makah_Employment_And_Contracting_Rights_Act_2004_.pdf |
| OREGON STATE PERMITS | | | | | | |
| Hydraulic permit | Oregon Department of State Lands | Work that affects the natural flow or bed of state waters | In water work that uses, diverts, obstructs, or changes the natural flow or bed of any fresh water or saltwater of the state | Permits may be expedited or exempted in cases where there is a public health or safety risk | http://www.oregon.gov/dsl/PERMITS/Pages/forms.aspx | |
| Wildlife Rehabilitation Holding Permit | Oregon Department of Fish and Wildlife | Rehabilitation of wildlife | A wildlife rehabilitator permit authorizes a person to temporarily possess injured, diseased oiled, or abandoned wildlife for rehabilitation purposes. Persons possessing a Rehabilitation Holding Permit must also obtain a federal permit for species protected by federal law. | | http://licenseinfo.oregon.gov/?fuseaction=license_icon&linkitem_id=14358 | |
| Archaeological Excavation Permit' | Oregon State Historic Preservation Office | Excavation of archaeological objects | Excavating, altering, defacing, or removing archaeological objects or resources or Native Indian graves, cairns or glyptic records. | 503-986-0674 or 971-322-5975 | http://cms.oregon.gov/oprd/HCD/ARCH/pages/arch_excavationperms.aspx | http://cms.oregon.gov/oprd/HCD/ARCH/docs/archaeology_excavation_permit.rtf |
| Section 106 Review | Department of Archaeology & Historic Preservation | Projects involving historic or archaeological resources | The Department of Archaeology and Historic Preservation (DAHP) and affected tribes must be consulted when projects are subject to review under Section 106 of the National Historic Preservation Act of 1966 (NHPA). | | http://cms.oregon.gov/OPRD/HCD/SHPO/Pages/preservation_106_fedstatelaws.aspx | http://cms.oregon.gov/oprd/HCD/SHPO/pages/preservation_106_submittoshpo.aspx |
| 401 Water Quality Certification | Oregon Department of Environmental Quality (DEQ) | Activities that may result in discharge to U.S. waters | Allows each state an opportunity to ensure that federally approved activities will meet water quality standards and policies. Any federal license or permit to conduct an activity that may result in a discharge to waters of the United States must first receive a water quality certification from the state in which the activity will occur. | | http://www.deq.state.or.us/wq/sec401cert/removalfill.htm | http://www.oregon.gov/dsl/Pages/New-Joint-Permit-Application.aspx |

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| OREGON STATE PERMITS (continued) | | | | | | |
| NPDES Discharge Permit for state facilities | DEQ | Discharge of wastewater into surface waters | To prevent the pollution of the States surface waters. Any discharge of wastewater into surface waters through a conveyance system requires this permit. | May be waived during emergencies, cannot be expedited. | http://www.deq.state.or.us/wq/stormwater/stormwater.htm | http://www.deq.state.or.us/wq/stormwater/stormwater.htm |
| Coastal Zone Certification (CZMA) | Department of Land Conservation and Development | Federally-approved activities affecting coastal resources | Projects requiring a federal license or permit within this area must be consistent with the enforceable policies of the coastal management program. | | http://licenseinfo.oregon.gov/?fuseaction=license_icon&link_item_id=26433 | |
| Special Burn Permit | DEQ Air Quality Duty Officer or regional air permit coordinator | Special burning activities | | | | 800-452-0311 |
| Water Supply Well Constructor License | Oregon Water Resources Department (WRD) | Construction/Alteration of wells | Any person who constructs, alters, converts or abandons a water supply well for another person. | | http://licenseinfo.oregon.gov/index.cfm?fuseaction=license_seng&link_item_id=14121 | |
| Water Use Permit | WRD | Use of a water system | Authorization from the department necessary to begin constructing a water system and begin using water. Activities requiring this permit include most appropriations and beneficial uses of surface water or ground water, for example, wetland restoration, stream restoration, water diversions, dams and impoundments. | After obtaining a water use permit and constructing and using water, some landowners are eligible to obtain a water right certificate. | http://www.oregon.gov/owrd/PUBS/docs/aquabook2013.pdf | |
| Wetlands Permit | Oregon Department of State Lands | | | Permits may be expedited or exempted in cases where there is a public health or safety risk | http://www.oregon.gov/dsl/PERMITS/Pages/forms.aspx | |
| Waste water permits | SOSC to notify the water quality manager of the appropriate region | | | | | |
| Solid Waste Letter Authorization | DEQ | Use of a proposed or existing disposal site | If the Department determines that a proposed or existing disposal site is not likely to create a public nuisance, health hazard, air or water pollution or other environmental problem. | The SWLA may be issued for a period not to exceed six months. | http://www.deq.state.or.us/pubs/permit/handbook/swla.htm | |

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| OREGON STATE PERMITS (continued) | | | | | | |
| Asbestos-Air Quality (Removal/Encapsulation Notification Form) | DEQ | Removal or encapsulation of asbestos-containing material | Regulates asbestos abatement activities. This notification is to be used for the removal or encapsulation of friable asbestos-containing materials. Other notification forms exist for non-friable asbestos projects. | | http://www.deq.state.or.us/aa/asbestos/business.htm | http://www.deq.state.or.us/aa/asbestos/docs/ASN1.pdf |
| EPA Generator ID Number (for RCRA compliance) | DEQ | Regulation of hazardous waste | All persons who generate, transport, treat, store, or dispose of hazardous waste and all persons who store recyclable materials prior to recycling them are required under the Resource Conservation and Recovery Act (RCRA) to notify EPA of their hazardous waste activities. The Oregon DEQ is authorized by the federal EPA to regulate hazardous waste in Oregon. The site identification number is required for facilities notifying the DEQ of their hazardous waste, universal waste or used oil activities. | | http://www.deq.state.or.us/lq/pubs/forms/hw/NotificationHazardWasteActivity.pdf | http://www.deq.state.or.us/lq/pubs/forms/hw/NotificationHazardWasteActivity.pdf |
| Permit for Oversize Vehicle | Oregon Department of Transportation (ODOT) | Use of oversize/overweight vehicles | To move oversize and overweight loads on the state's highway systems, protecting the motoring public and the state highway infrastructure. | | http://cms.oregon.gov/ODOT/MCT/Pages/OD.aspx#Permit_Service_Agents | http://www.odot.state.or.us/forms/motcarr/od/1814afill.pdf |
| Decanting Permits | SOSC to notify the water quality manager of the appropriate region | | | | | |
| Sediment Disturbance Permits | | | | | | |
| IDAHO STATE PERMITS | | | | | | |
| 401 Water Quality Certification | Idaho Department of Environmental Quality (DEQ) | Activities that may result in discharge to U.S. waters | Allows each state to have input into federally approved projects that may affect its waters (rivers, streams, lakes, and wetlands) and to ensure the projects will comply with state water quality standards and any other water quality requirements of state law. Any §401 certification in Idaho also ensures that the project will not adversely impact impaired waters (waters that do not meet water quality standards) and that the project complies with applicable water quality improvement plans (TMDLs). | | http://www.deq.idaho.gov/water-quality/surface-water/standards/401-certification.aspx | |
| Water Right Permit | Idaho Department of Water Resources | Use of a water system | To appropriate the public waters of the State of Idaho. A water right is authorization to use water in a prescribed manner, not to own the water itself. | | http://www.idwr.idaho.gov/WaterManagement/WaterRights/ | https://www.idwr.idaho.gov/files/water-rights/application-for-permit.pdf |

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| WASHINGTON STATE PERMITS | | | | | | |
| State Environmental Policy Act (SEPA) | guidance provided by WDOE; reviewed by a state or local agency that is designated as the "SEPA lead agency" | Proposed projects that impact the environment | SEPA requires that state and local agencies review proposals to identify environmental impacts. Agency permits and approvals can be conditioned or denied to mitigate or avoid the impacts identified in SEPA documents. | | | JARPA (see above) |
| Hydraulic Project Approval (HPA) | Washington Department of Fish and Wildlife (WDFW) | Work that affects the natural flow or bed of state waters | Protects fish and shellfish and their habitats. Projects that use, divert, obstruct, or change the natural flow or bed of salt or fresh state waters. Emergency Permits can be issued for those situations that present an immediate threat to life, property, or environmental degradation (oil spill). Emergency permits may be issued verbally by WDFW and do not require SEPA or a JARPA. For emergency permits associated with oil spill response call 360-534-8233 (24 hour pager). Non emergency projects require SEPA and a JARPA and can be requested at 360-902-2537. | Emergency: verbal request, SEPA and JARPA not required In case of Federal lead response (EPA lead), a HPA is not necessary. By regulation, 40 CFR 122.3(d) excludes from NPDES permit requirements discharges in compliance with OSC instructions pursuant to the National Contingency Plan, 40 CFR Part 300. Moreover, a permit issued by the US ACE, Nationwide Permit #20, allows EPA responders to implement response strategies that would reduce, interrupt, or divert the flow of water in a stream, creek, or river, including installation of culvert blocks and underflow dams. Please see 33 CFR NWP 20. Response Operations for Oil and Hazardous Substances. Non-emergency: written request, SEPA and JARPA required | | Emergency: verbal request Non-emergency: written request (JARPA) |
| Use Authorizations for State-Owned Aquatic Land | Washington Department of Natural Resources (WDNR) | Use of state-owned aquatic lands | Allows use of state-owned aquatic lands. DNR determined if aquatic land is state-owned, if it is available for use, and if the use is appropriate. Needed if project located on, over, through, under, or otherwise impacts state-owned aquatic lands. Aquatic lands are defined as tidelands, shorelands, harbor areas, and the beds of navigable waters | | | JARPA (see above) |

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| WASHINGTON STATE PERMITS (continued) | | | | | | |
| Section 401 Water Quality Certification Permit | WDOE | Activities that may result in discharge to U.S. waters | Applicants receiving a section 404 permit from the U.S. Army Corps of Engineers, a Coast Guard permit or license from the Federal Energy Regulatory Commission (FERC), are required to obtain a section 401 water quality certification from the Department of Ecology (WDOE). Pertains to any activity that might result in a discharge of dredge or fill material into water or non-isolated wetlands or excavation in water on non-isolated wetlands. | | | JARPA (see above) |
| NPDES Discharge Permit for state facilities | WDOE | Discharge of wastewater into surface waters | To prevent the pollution of the States surface waters. Any discharge of wastewater into surface waters through a conveyance system requires this permit. | May be waived during emergencies, cannot be expedited. | | http://www.ecy.wa.gov/programs/wq/permits/forms.html#state_forms |
| Wildlife Rehabilitation Permit | WDFW | Rehabilitation of wildlife | A wildlife rehabilitation permit authorizes a person to temporarily possess injured, diseased, oiled, or abandoned wildlife for the purpose of wild release. | | http://wdfw.wa.gov/conservation/health/rehabilitation/permit_requirements.html | http://wdfw.wa.gov/conservation/health/rehabilitation/permit_application.pdf |
| Archaeological Excavation Permit | Department of Archaeology & Historic Preservation (DAHP) | Excavation of archaeological objects | Excavating, altering, defacing, or removing archaeological objects or resources or Native Indian graves, cairns or glyptic records. | | | http://www.dahp.wa.gov/archaeological-permitting |
| Section 106 Review | DAHP | Projects involving historic or archaeological resources | The Department of Archaeology and Historic Preservation (DAHP) and affected tribes must be consulted when projects are subject to review under Section 106 of the National Historic Preservation Act of 1966 (NHPA) | | http://www.dahp.wa.gov/section-106 | |
| Special Burn Permit | WDOE | Special burning activities | This permit is for situation where burning does not fit into categories of agricultural, residential, or land clearing. | | | http://www.ecy.wa.gov/biblio/ecy07052.html |
| Well Construction and Operator's License | WDOE | Construction or decommissioning of wells | A Well Operator's License is required for all construction and decommissioning of wells. | | | https://fortress.wa.gov/ecy/publications/summarypages/ecy050121a.html |
| Wetlands Permit | WDOE | Working in or near wetlands | Working in or near wetlands, areas that are transitional between open water and uplands or that may be periodically inundated or saturated. | | | <i>variable; refer to individual permit descriptions for more detail</i> |
| Waste water permits | WDOE | Discharge of wastewater into surface waters | Individual permits for any discharge of wastewater into surface waters through a conveyance system; General permits for some types of discharges; and/or State Wastewater Discharge permit | | | http://www.ecy.wa.gov/programs/wq/permits/forms.html#state_forms |
| Coastal Zone Management (CZM) Certification | WDOE | Federally-approved activities affecting coastal resources | Activities and development affecting coastal resources which involve federal activities, federal licenses or permits, and federal assistance programs (funding) require written CZM decision by Ecology. | | | |

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| WASHINGTON STATE PERMITS (continued) | | | | | | |
| Asbestos-Air Quality (Demolition/Renovation Notification Form) | WDOE | Demolition of a facility for fire training | Any time you want to demolish, renovate, or burn a facility for fire training purposes (facility includes any ship) | | | http://www.ecy.wa.gov/biblio/ecy07087.html |
| RCRA Site Identification Number | WDOE | Regulation of hazardous waste | An identifying number used for tracking wastes from their point of generation to final disposal. It is required if you generate, transport, transfer, recycle, treat, store, or dispose of regulated amounts of dangerous waste. | | | http://www.ecy.wa.gov/biblio/ecy070133.html |
| Oversize/Overweight Vehicle Permit | Washington State Department of Transportation (WSDOT) | Use of oversize/overweight vehicles | To move oversize and overweight loads on the state's highway systems, protecting the motoring public and the state highway infrastructure. | | http://www.wsdot.wa.gov/CommercialVehicle/permitting.htm | http://www.wsdot.wa.gov/publications/fulltext/forms/560-021.pdf |
| Decanting Permits | | | | | | |
| Sediment Disturbance Permits | | | | | | |
| LOCAL PERMITS | | | | | | |
| Shoreline Management Program Permits (Exemption, Substantial Development, Conditional Use, or Variance) | Local government: city or county. Conditional Use and Variance also require review by | Projects in or near shorelands | Any project, permanent or temporary, which interferes with public use of shorelands. Projects in or within 200 feet of marine waters, streams, lakes, and associated wetlands and floodplains. | | http://www.ecy.wa.gov/programs/sea/sma/st_guide/administration/index.html | JARPA (see above) |
| Waste generation and disposal | Local government: city or county | Waste generation/disposal | Check with local government | | | |

*Joint Aquatic Resources Permit Application (JARPA) consolidates several federal, state and local permit applications into one form (Section 10 and 404 permits; General Bridge permits; Private Aids to Navigation permits; 401 Water Quality Certifications; Hydraulic Project Approvals; Use Authorizations for State-Owned Aquatic Lands; and local Shorelines permits.)