

April 4, 2005

TO: WSDOT, Region Utility Engineers
WDNR, Aquatic Resources Program Staff Associated with Use Authorizations

FROM: Gerald L. Gallinger, Director, Real Estate Services, WSDOT
Loren Stern, Division Manager, Aquatic Resources, WDNR

**SUBJECT: COORDINATION OF UTILITY FRANCHISES AND USE AUTHORIZATIONS
FOR ACTIVITIES ON STATE-OWNED AQUATIC LANDS**

The Washington State Department of Transportation (WSDOT) and Washington Department of Natural Resources (WDNR) have overlapping jurisdictions, compatible authorities, and mutually beneficial interests when it comes to permitting and authorizing activities on state-owned aquatic lands.

The WSDOT currently issues franchises to utility companies that attach utility lines to WSDOT-owned bridges, which may cross state-owned aquatic lands. The WSDOT utility franchises authorize the utility companies to attach their utility lines to the bridges, but do not authorize the utility companies to cross state-owned aquatic lands. The WDNR issues proprietary easements for activities that occur on state-owned aquatic lands¹, including utility easements. As such, utility lines that cross both WSDOT bridges and WDNR managed aquatic lands need a WSDOT franchise and a WDNR easement.

Because of each agency's jurisdictions, authorities, and interests, it is critical that WSDOT and WDNR collaborate closely when planning, permitting, and authorizing utility lines on WSDOT bridges that cross state-owned aquatic lands.

In the link below and attachments you'll find:

- A navigability assessment to help you determine if a project is on state-owned aquatic lands (<http://www.dnr.wa.gov/htdocs/aqr/prospecting/navmap.pdf>);²
- A listing of WSDOT regional contact coverage areas; and
- A listing of WDNR Aquatic Land Manager's coverage areas.

These items should be used by WSDOT and WDNR staff when working on projects to identify when a project is potentially on state-owned aquatic lands and to identify their agency's counterpart. Staff should then work closely with their counterpart during the franchise and easement approval process to ensure each agency's jurisdictions, authorities, and interests are understood and addressed.

As time and resources are available, additional programmatic work will occur throughout 2005 to identify ways the WSDOT and WDNR can collaborate on project approvals. Until then, if you have questions about the need for collaboration expressed in this memo, please contact either Tom Swafford, WSDOT Utilities Engineer, at 360-705-7237, or Jay Udelhoven, WDNR Aquatic Resources Assistant Division Manager, at 360-902-1060.

¹ This includes 2.4 million acres of tidelands and bedlands in the Puget Sound, Willapa Bay, and Grays Harbor, bedlands along the outer coastal shelf, and shorelands and bedlands within navigable freshwater lakes and rivers throughout the state.

² The map shows the navigability status of freshwater lakes and rivers; the DNR should be contacted if bridges cross water bodies with the navigability status of definitely, probably, or unknown. The DNR should be contacted if bridges cross any marine water body.

Attachments (2)

cc: Don Nelson, WSDOT
Fran McNair, WDNR
Tom Swafford, WSDOT
Jay Udelhoven, WDNR
Amir Rasaie, WSDOT
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