Final
Permit Streamlining White Papers Project

COMMON PERMIT DATA REQUIREMENTS: WHAT ARE THE OPPORTUNITIES FOR STREAMLINING?

WDOT00000281

Prepared For:
One Stop / Pilot Project Subcommittee
Transportation Permit Efficiency and Accountability Committee
Washington State Department of Transportation
Environmental Affairs Office
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June 26, 2003

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5- Section 402 NPDES Stormwater Permits
6- CZM Consistency and GMA-SMA Review
7- Hydraulic Project Approval
8- Shoreline Substantial Development Permit
9- Critical Areas Ordinance

EXECUTIVE SUMMARY

This white paper explores opportunities to streamline environmental permitting for transportation projects by evaluating data requirements for aquatic resource permit applications. Research into common data requirements included internet searches for application forms and related instructions, interviews with permitting staff at regulatory agencies, and feedback from the One Stop/Pilot Project Subcommittee of TPEAC.

The Joint Aquatic Resources Permit Application (JARPA) is the form used in Washington for many aquatic, hydraulic, shoreline, and wetland permits and approvals. This is true for transportation projects as well as many other activities requiring these permits. The JARPA includes the data items most commonly required for these permits, with differences in attachment of various drawings and reports providing the specialized information needed to meet each agency's requirements. Other applications examined in this study were those for stormwater discharges, coastal zone consistency, Endangered Species Act consultations, and activities involving shorelines and critical areas (wetlands) in King County.

It is unlikely that JARPA can be customized to streamline WSDOT's permitting needs. This application needs to serve a broad spectrum of activities besides transportation that can affect aquatic resources, and it must accommodate applicants with wide ranging technical expertise and communication skills. And JARPA is already adequate for many routine transportation projects. Thus the greatest opportunities related to permit data requirements tend to focus on improving or expanding existing WSDOT databases, technology tools, and interactions with permitting agency staff to optimize internal processes within the context of respective permits and approvals. These opportunities include:

- Consider collecting all data required for permit applications into a single data tool, like WSDOT's Project Summary Database;
- Consider developing a custom JARPA supplement for transportation projects;
- Explore standardizing drawing content and GIS products attached to permit applications;
- Explore making 11x17-inch the standard size for drawings and maps attached to applications;
- Continue trends toward standardized reports and mitigation standards; and
- Encourage use of a single application, preferably JARPA, for all local shorelines, floodplain, and wetland permits.

Additional support for these recommendations can be found in WSDOT's Environmental Procedures Manual; a companion white paper on common permit review, comment and appeal; a

companion survey on information technology (IT) coordination; and a course in basic environmental permitting being developed for WSDOT staff.

1. BACKGROUND, PURPOSE, AND OBJECTIVES

Washington's Transportation Permit Efficiency and Accountability Committee (TPEAC) was established in 2001 pursuant to ESB 6188, the Environmental Permit Streamlining Act. The legislation's intent was to seek ways to expedite lengthy permitting processes for transportation projects throughout the state. The TPEAC group, consisting of elected officials, representatives of interest groups, and resource agency personnel, began its work in September 2001 and has been actively involved since that time in exploring potential streamlining approaches.

TPEAC established technical subcommittees to support its mission, including the One-Stop Permitting Subcommittee and the Pilot Project Subcommittee. In late 2002, those two committees merged into the One Stop/Pilot Project Subcommittee. One question on which the subcommittee sought information was to what extent are there common data requirements amongst the various permits and are there opportunities for streamlining the permit process because of common data requirements. WSDOT, as chair of the subcommittee, contracted with David Evans and Associates, Inc. (DEA) to research and prepare this white paper on common data requirements of environmental permits and approvals for transportation projects. Its objectives are to:

- Identify data items that are common to multiple permits / approvals versus those that are unique to specific permits / approvals; and
- Identify barriers and opportunities for standardizing data requirements among permits / approvals.

Working with members of the One Stop/Pilot Project Subcommittee, the DEA team defined the scope of regulations to be considered, clarified the objectives for the analyses, and obtained significant help in gathering base information for the analyses. Internet research was conducted for existing consolidated applications used elsewhere that might serve as model, but none were found. Internet research did provide relevant application forms used in Washington that served as basis for interviewing permitting agencies.

A detailed questionnaire provided structure for agency representatives to respond to questions about their particular data requirements for permitting. Participants were asked to address a hypothetical transportation project example, a bridge replacement that crosses a stream including ESA-listed fish, and abuts wetlands approaching the bridge (see Section 2). It was also assumed that NEPA and SEPA processes had been completed for the hypothetical project. Within that context, agency experts answered questions about required data items, formats, and attachments. The DEA team analyzed the information provided and prepared this white paper to document data requirements and identify potential efficiencies.

2. CONCEPTUAL MODEL FOR ASSESSING STREAMLINING OPPORTUNITIES

The types of projects WSDOT must permit vary widely in size and complexity, requiring many different permitting approaches. For example, between 1999 and 2001, less than 25 percent of all WSDOT projects required Corps 404 permits and Washington State Department of Ecology (Ecology) 401 certifications; and less than 5 percent required individual 404 permits, individual 401 certifications, or water quality modifications (Ecology Permit Data from Concurrency White Paper).

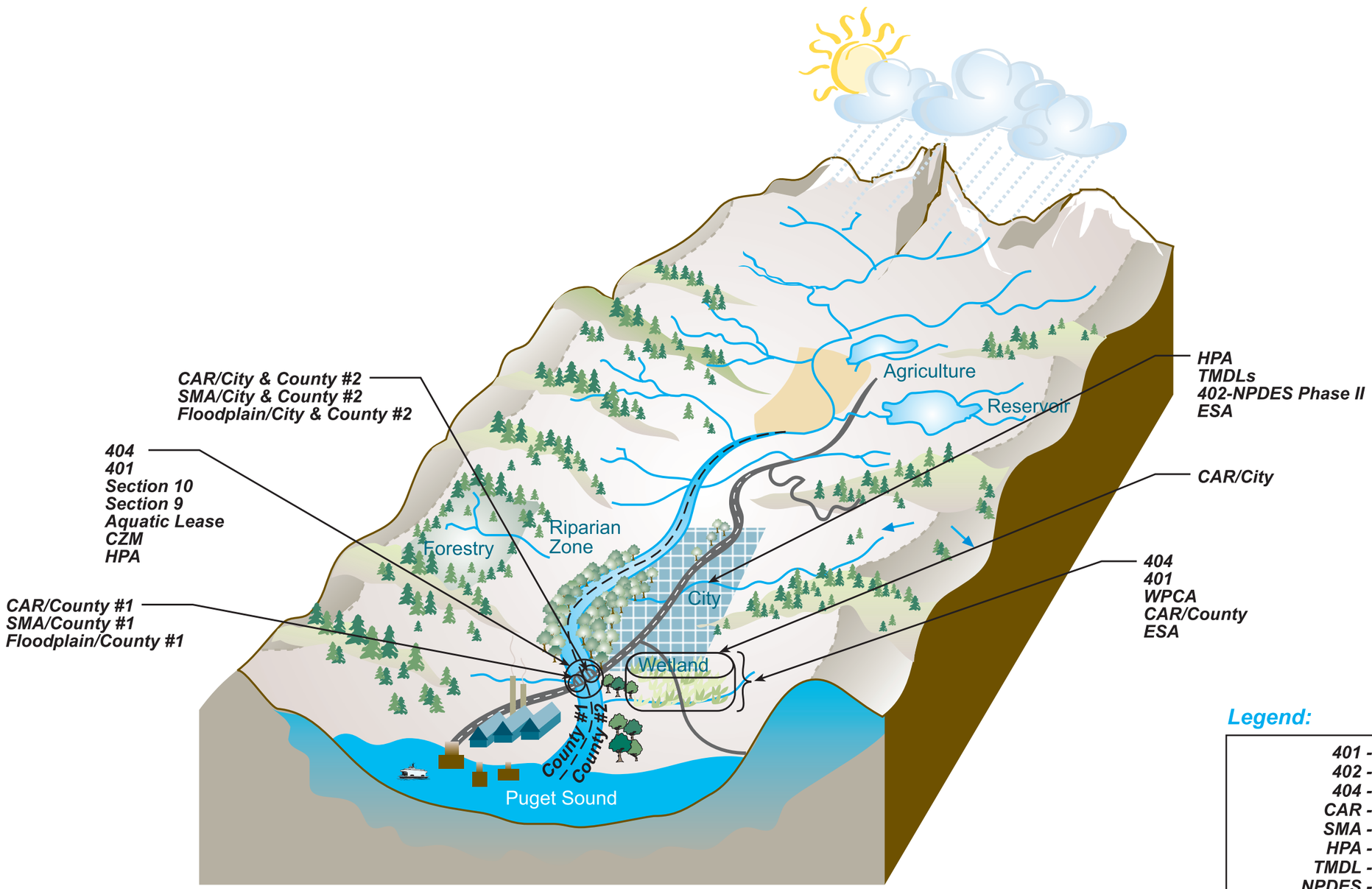
With that perspective in mind, the subcommittee discussed the permits with greatest relevance to typical WSDOT projects and selected the following to analyze in more detail:

- Clean Water Act Section 404 Nationwide Permit (federal)
- Clean Water Act Section 404 Individual Permit (federal)
- Rivers and Harbors Act Section 10 Permit (federal)
- Clean Water Act Section 401 Water Quality Certification (federal, state, and tribal)
- Coastal Zone Management Consistency (state)
- Endangered Species Act Section 7 Consultation (federal)
- Hydraulic Project Approval (state)
- Clean Water Act Section 402 NPDES Permit (state)
- Shoreline Management Act Permit (local)
- Critical Areas Ordinances (local)

These permits and the activities that require them are described on Ecology's Office of Regulatory Assistance website: www.ecy.wa.gov/programs/sea/pac

For critical areas ordinances, King County was selected to profile rather than a subset of all jurisdictions in the state. King County processes many WSDOT projects because of its location and its critical areas ordinance is considered one of the more comprehensive. In that respect, King County represents one end of the spectrum in assessing opportunities for streamlining.

To facilitate thinking about the range of permitting requirements of interest to WSDOT, a hypothetical bridge replacement project, sufficiently complex to trigger several common permits, was conceived. The hypothetical bridge project links two counties, is partly within city limits, crosses an ESA-listed water body, and is within a floodplain. Figure 1 illustrates the conceptual model developed to illustrate the range of permits and approvals needed for such a project. As shown, there is a distinct layering of federal, state, and local permitting requirements at key points within the landscape. Figure 2 is an illustration of jurisdictional boundaries covered by two permits administered by the Army Corps of Engineers – Section 404 and Section 10.

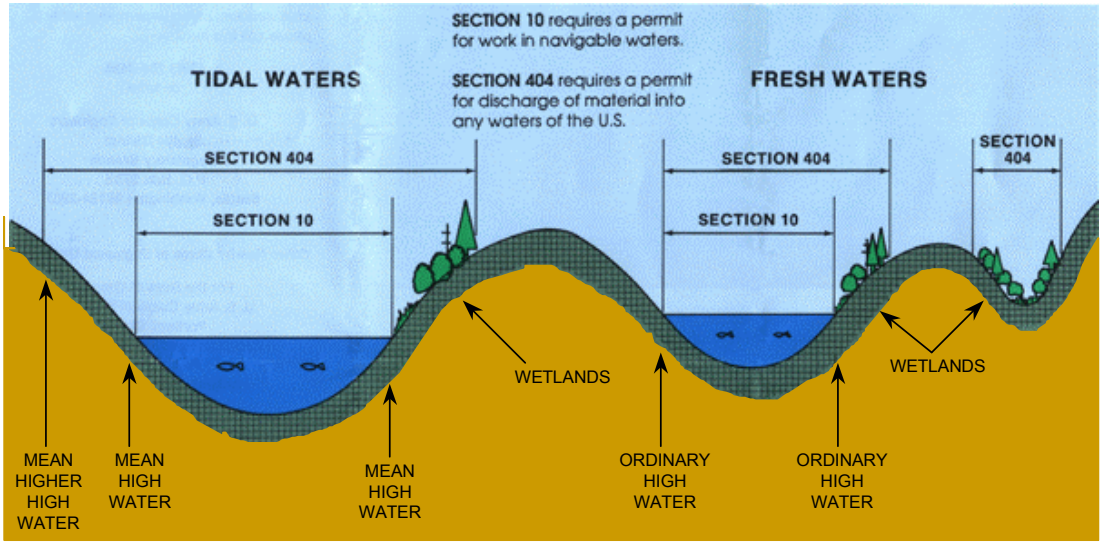


Legend:

401 -	Section 401 Clean Water Act
402 -	Section 402 Clean Water Act
404 -	Section 404 Clean Water Act
CAR -	Critical Areas Regulations
SMA -	Shoreline Management Act
HPA -	Hydraulic Project Approval
TMDL -	Total Maximum Daily Load
NPDES -	Non Point Discharge Elimination System
ESA -	Endangered Species Act
WPCA -	State Water Pollution Control Act
CZM -	Coastal Zone Management Act
Section 9 -	Section 9 of Rivers and Harbors Act of 1899
Section 10 -	Section 10 of Rivers and Harbors Act of 1899
Aquatic Lease -	DNR Aquatic Lands Easement

Figure 1: Hypothetical Bridge Replacement

Figure 2. Corps Jurisdictional Boundaries



Source: US Army Corps of Engineers

The analysis does not include the NEPA or SEPA processes, because they were considered complete in the hypothetical project. However, NEPA and SEPA provide an important opportunity for permitting agencies to learn about transportation projects, and for WSDOT in turn to get an early indication of data requirements for specific permit applications.

It is worth noting that according to FHWA's figures (http://www.fhwa.dot.gov/environment/strmlng/projectgraphs.htm), the federally-funded transportation projects fall into the following categories:

92 percent – categorical exclusion or exemption

7 percent – environmental assessment

1 percent – environmental impact statement

These data illustrate that the majority of WSDOT projects do not require complicated permits. The smaller percentage of projects that generate complex environmental issues consume significant staff resources and cause delays in schedule. Streamlining may provide significant benefits to these larger complex projects which are the focus of this white paper.

3. AQUATIC PERMIT APPLICATION FORMS

A. JOINT AQUATIC RESOURCE PERMIT APPLICATION (JARPA)

The Joint Aquatic Resource Permit Application (JARPA) is the form used for most environmental permits and approvals evaluated in this study. It was developed by Ecology, Washington State Department of Fish and Wildlife (WDFW), and the Seattle District of the Corps in conjunction with local agencies. It was last revised in July 2002.

The JARPA compiles, in one form, the basic information needed for permits related to wetlands, rivers, streams, water quality, and shorelines. It is for the following permits and approvals:

- Corps CWA-Section 404 permits (required for Individual Permits, strongly recommended for Nationwide Permits)
- Corps R&HA-Section 10 permit
- Ecology CWA-Section 401 Water Quality Certification
- WDFW Hydraulic Project Approval
- WDNR Aquatic Resources Use Authorization
- WSDOT/Ecology Water Quality Implementing Agreement transportation projects
- U.S. Coast Guard General Bridge Act permit (navigable waters only)
- Local government SMA-Shoreline permits (24 counties and 59 cities)
- Local government Critical Area Ordinance (CAO) permits (24 counties and 59 cities)
- Local government Floodplain Development permits (24 counties and 59 cities)

Most JARPA data requirements fall in one of the following general categories:

- Applicant / Agent / Property Owner Contact Information
- Location / Water Body / Adjacent Landowner Information
- Existing Property Use(s) and Structure(s)
- Proposed Project – Description, Purpose, Need
- Potential Aquatic Impacts and Related Avoidance / Mitigation
- Quantities / Composition of Excavation / Fill / Impacts
- Other Environmental Permits and Approvals
- Applicant / Agent / Landowner Signature(s)

Attachments to the JARPA is another category of information, but it is less well defined in terms of specific requirements for the various permits and approvals. They typically include plans,

drawings, and specifications. Wetland reports and ESA Biological Evaluations (BE) may also be required.

The instructions provided with the JARPA help the applicant decide which permits or approvals may apply to the proposed project. Limited direction or guidance is provided on specific data items. An extensive list of features to include on drawings is provided, without reference to slightly different requirements specified on the Corps regulatory website. This website provides links to substantial guidance on Corps permitting process and data requirements. The link to the JARPA form goes to Ecology's website for downloading the document. No specific instructions or guidance on data requirements (other than for drawings) were readily found through links on Ecology's Office of Regulatory Assistance website.

B. ECOLOGY'S ISOLATED WETLANDS INFORMATION SHEET

Ecology's Isolated Wetlands Information Sheet replaces the JARPA application for wetlands not connected by surface hydrology to recognized water bodies (rivers, streams, lakes, bays, etc.). These wetlands were removed from 404 jurisdiction by the U.S. Supreme Court in SWANCC v. U.S. Army Corps of Engineers. It requires specific wetland information such as delineation data sheets, functions assessment, category rating forms, and mitigation plan. Although these data are not specifically required for the JARPA, most are typically included in wetland reports attached to the JARPA.

C. NPDES CONSTRUCTION STORMWATER GENERAL PERMIT

The Notice of Intent (NOI) for Construction Activity is Ecology's application form related to the NPDES Construction Stormwater General Permit. It is used for most discharges of stormwater from constructing transportation projects in Washington. The form includes checklist and fill-in data. Rarely are attachments required. Data requirements are arranged in the following categories:

- Applicant / Owner / Billing Contact Information
- Site Name and Location
- Receiving Water Information
- Construction Activity Information
- BMPs and Stormwater Pollution Prevention
- SEPA Compliance
- Public Notice
- Regulatory Status
- Certification / Signature of Permittee(s)

Separate instructions provide succinct guidance on completing the application. Use of checklists for several data items facilitates completion of the form. Discussions with Ecology indicate a primary purpose of the application is to determine what and where permit conditions apply. The stormwater permit is performance based, with compliance being the responsibility of the permittee, but subject to inspection by Ecology.

D. COASTAL ZONE MANAGEMENT (CZM) PROGRAM CONSISTENCY QUESTIONNAIRE

Coastal Zone Management (CZM) consistency is required for projects within Washington's 15 coastal counties that need a federal license, approval (permit), or use federal funding. The CZM Program Consistency Form requires the applicant to certify (provide permit numbers and approval dates) that the project is consistent with the State's six enforceable policies. These include the following four that are typical for transportation projects:

- Shoreline Management Act (SMA, shoreline permit or exemption)
- CWA-Water Quality Requirements (401 certification, stormwater permit)
- Clean Air Act(CAA)-Air Quality Requirements
- SEPA (or NEPA adopted to satisfy SEPA)

E. KING COUNTY SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT (SDP)

The King County Shoreline Substantial Development Permit (SDP) does not use the JARPA form although many other local jurisdictions will accept it as the application form. Instead a questionnaire is completed for discussion at a pre-application meeting, when additional application data needs and attachments are specified for the project. Questions include site location and current uses, project description and cost, potential impacts to public uses, adjacent property owners and extent of community knowledge of the proposed project.

Application instructions are in the form of an annotated checklist for use in compiling the respective number of copies for each required item specified during the pre-application meeting. Checklist items are organized into exhibits as follows:

- (D-1) Application Form
- (D-2) Legal Description for Assessor's Office
- (D-4) Shoreline Management Questionnaire
- (D-5) SEPA Environmental Checklist
- (D-6) Graphic Project Description (drawings, maps, plans)
- (D-8) County Assessor's Maps (site and properties within 500 feet)
- (D-12) Additional Information (reports, studies, photos, etc)

Since July 2002, Ecology no longer reviews SDP decisions by local jurisdictions. SDPs do continue to entered in the Shoreline Permit Tracking System by Ecology. Projects requiring

Shoreline Conditional Use Permits and Variances continue to be a high priority for up-front technical assistance and review.

F. KING COUNTY CLEARING AND GRADING PERMIT

The King County Clearing and Grading Permit is required when fill or excavation is proposed in an Environmentally Sensitive Area (critical area under the Growth Management Act). Similar to the King County shoreline permit, King County has the applicant complete a questionnaire/worksheet to use in a pre-application meeting. Data required includes:

- Project Name and Location
- Project Description
- Contact Information
- Extent of Work (cubic yards and acres)

4. APPLICATION DATA ITEMS

Table 1 presents a matrix of data items requested on the application forms and specifically required by various agencies for respective permits and approvals they issue. Nearly all items on the JARPA are required for the hypothetical project, but a few types of data are not needed by some agencies that use the form. Even so, most agencies interviewed that use the JARPA recommended that it be completed entirely to avoid an omission. A couple of agencies commented that failure to sign the JARPA had delayed the permit process.

Ecology's NPDES stormwater application (NOI) is short, and with attachments being rare, is probably the easiest to complete. Although the CZM form is the shortest, and data requirements are relatively simple, satisfying the consistency requirements (enforceable policies) are not necessarily quick or easy. For some projects, additional information may be needed with the CZM form.

A. MINIMUM VERSUS FINAL REQUIREMENTS

The subcommittee asked DEA to research the minimum data requirements to provide "standing" or priority for an application, versus the final requirements to consider the application complete and issue the permit or approval. For practical purposes this distinction does not exist, especially for the hypothetical project used in the questionnaire. Many respondents did not indicate any difference, and for many permits a partial submittal only complicates the process by forcing permit denial or applicant-requested extensions of mandatory processing. Those that did indicate a difference in final requirements frequently listed SEPA, which this research assumed was complete, or other permits and approvals that were being obtained from other agencies, as a situation to be expected from concurrent applications as part of streamlining.

Table 1. Aquatic Resources Permit Streamlining – Data Requirements Matrix

	Federal Agencies							State Agencies								Local Agencies				
Data Item	COE - CWA Sect 404 NWP	COE - CWA Sect 404 Individual	COE - RHA Section 10		NOAA - ESA Section 7	FWS - ESA Section 7		Ecology - CWA 401 Cert (404NWP)	Ecology - CWA 401 Cert (404ind)	Ecology - Isolated Wetlands	Ecology - CZM Consistency	Ecology - SMA Review	Ecology - CWA Sect 402 (NPDES)	WDFW - HPA		King County - Critical Areas	King County - Shorelines			
Applicant/Contact Information																				
Applicant (name, address, phones, email)	X	X	X					X	X	X	X	X	X	X		X	X			
Agent (if applicable - name, etc)	X	X	X					X	X	X	X	X	X	X		X	X			
Relationship of Applicant to Property	X	X	X						X	X	X			X			X			
Property Owner (if not applicant-name, etc)	X	X	X					X	X	X	X	X	X	X		X	X			
Project / Site Name					X	X		X	X	X	X		X			X				
Adjacent Property Owners																				
name, address, phone	X	X	X														X			
tax parcel #																X	X			
Location / Geographic Information																				
Street Address	X	X	X					X	X	X	X	X	X	X		X				
County								X	X	X	X		X							
T-R-S-QuarterSection	X	X	X		X	X		X	X	X	X	X		X		X	X			
Latitude & Longitude	X	X	X		X	X		X	X	X	X	X		X						
Tax Parcel No. / Govt Lot								X	X	X	X					X	X			
Assessor's Complete Legal Decription																	X			
Water Body	X	X	X		X	X		X	X	X	X	X	X	X			X			
Tributary of	X	X	X		X	X		X	X	X	X	X		X						
WRIA - Water Resource Inventory Area								X	X	X	X			X						
Site Description / Use / Zoning																				
Current Property Use	X	X	X					X	X	X	X	X		X						
Existing Structures On-site	X	X	X					X	X	X	X	X		X						
Structures on Adjacent Properties																				
Shoreline Designation											X	X					X			
Within FEMA 100-yr Floodplain (Y/N)	X									X										
Agricultural Land (Y/N)		X																		
USDA Program Participant (Y/N)		X																		
NRHP Historic Properties Onsite/nearby		X																		

	Federal Agencies							State Agencies									Local Agencies				
Data Item	COE - CWA Sect 404 NWP	COE - CWA Sect 404 Individual	COE - RHA Section 10		NOAA - ESA Section 7	FWS - ESA Section 7		Ecology - CWA 401 Cert (404NWP)	Ecology - CWA 401 Cert (404ind)	Ecology - Isolated Wetlands	Ecology - CZM Consistency	Ecology - SMA Review	Ecology - CWA Sect 402 (NPDES)	WDFW - HPA			King County - Critical Areas	King County - Shorelines			
Project Description (see also Drawings)																					
Summary of Proposed Work	X	X	X					X	X	X	X	X		X				X			
Total Acres of Site & Disturbance									X	X			X				X				
Site Dewatering Activities									X				X								
Construction (Soil Disturbing) Activities									X				X								
Project Purpose and Need	X	X	X					X	X	X	X	X	X	X							
Proposed Start Date	X	X	X						X				X								
Estimated Duration	X	X	X																		
Proposed Completion Date													X								
Staged/Phased Construction (Y/N)	X	X	X																		
Work Already Completed	X	X	X																		
Total Cost of Project (within Shoreline)																		X			
Federal Agency Providing Funds	X	X	X								X										
Water Quality Conditions / Effects																					
Discharge to Drain-Surface-Groundwater									X				X								
Name of Receiving Water(s)					X	X			X				X								
Receiving Water On 303(d) List (Y/N)								X	X	X	X										
What 303(d) Parameters								X	X	X	X										
Meet Turbidity Stds for In-water Work?								X	X	X	X			X							
Water Quality Impacts-Avoidance-Mitigation	X	X	X		X	X		X	X	X	X			X							
Water Supply Impacts-Avoidance-Mitigation	X	X	X		X	X		X	X	X	X			X							
Stormwater Manual Used	X							X	X												
BMPs Proposed									X				X								
Stormwater Pollution Prevention Plan									X				X								
Existing & New Impervious Area					X	X			X												

	Federal Agencies							State Agencies								Local Agencies				
Data Item	COE - CWA Sect 404 NWP	COE - CWA Sect 404 Individual	COE - RHA Section 10		NOAA - ESA Section 7	FWS - ESA Section 7		Ecology - CWA 401 Cert (404NWP)	Ecology - CWA 401 Cert (404ind)	Ecology - Isolated Wetlands	Ecology - CZM Consistency	Ecology - SMA Review	Ecology - CWA Sect 402 (NPDES)	WDFW - HPA		King County - Critical Areas	King County - Shorelines			
Wetland Conditions / Effects																				
Wetland Acres Impacted by Fill	X	X	X					X	X	X	X			X						
Wetland Delineation Attached	X	X	X					X	X	X	X			X						
Wetland Report Attached	X	X	X					X	X	X	X			X		X				
Wetland Mitigation Plan Attached									X	X				X						
State Wetland Category									X	X										
Cowardin Class & Dominant Plants									X	X										
Total Wetland Acres including Off-site									X	X										
Distance to Nearest Surface Water Body					X	X			X	X										
Acres Vegetation Cleared / Disturbed									X	X						X				
Fill Type and Composition	X	X	X					X	X	X	X			X						
Fill Material Source	X	X	X					X	X	X	X			X						
NRCS Soil Series & Hydric Status	X	X	X					X	X	X	X			X						
Wetland Acres Flooded or Drained	X	X	X					X	X	X	X			X						
Wetland/Water Cu-Yds/Acres Dredged	X	X	X					X	X	X				X						
Composition of Dredged Material	X	X	X					X	X	X	X			X						
Dredge Disposal Site	X	X	X					X	X	X	X			X						
Dredge Method	X	X	X					X	X	X	X			X						
Stream / Fish / Aquatic Habitat																				
Structures Waterward of OHW / MHHW	X	X	X		X	X		X	X	X	X			X						
Fill Placed Waterward of OHW / MHHW	X	X	X		X	X		X	X	X	X									
Cu-yds Placed Waterward of OHW/MHHW	X	X	X		X	X		X	X	X	X									
Work/Structures 200-ft beyond OHW									X		X	X					X			
Fish Impacts-Avoidance-Mitigation	X	X	X		X	X		X	X	X				X						
Aquatic Life Impacts-Avoidance-Mitigation	X	X	X		X	X		X	X	X				X						
List of ESA T&E Species	X				X	X														
Federal Lead for ESA	X	X	X		X	X														
Stream Report Attached																X				

	Federal Agencies							State Agencies								Local Agencies				
Data Item	COE - CWA Sect 404 NWP	COE - CWA Sect 404 Individual	COE - RHA Section 10		NOAA - ESA Section 7	FWS - ESA Section 7		Ecology - CWA 401 Cert (404NWP)	Ecology - CWA 401 Cert (404ind)	Ecology - Isolated Wetlands	Ecology - CZM Consistency	Ecology - SMA Review	Ecology - CWA Sect 402 (NPDES)	WDFW - HPA		King County - Critical Areas	King County - Shorelines			
Other Permits / Approvals																				
SEPA Lead Agency								X	X	X	X	X	X	X						
SEPA Checklist																X	X			
SEPA Decision								X	X	X	X	X	X	X						
SEPA Decision Date								X	X	X	X	X	X	X						
NPDES Permit (Y/N)	X							X	X	X	X									
Other NPDES Permit #									X				X							
Name/Type of Other Applications/Approvals	X	X	X					X	X	X	X		X			X				
Issuing Agency for Other Appl/Approvals	X	X	X					X	X	X	X					X				
ID/Tracking Number of Other A/A	X	X	X					X	X	X	X									
Date of Other Application	X	X	X					X	X	X	X									
Date of Other Approval	X	X	X					X	X	X	X									
Other Permit/Approval Completed	X	X	X					X	X	X	X					X				
Permits/Approvals Denied	X	X	X					X	X	X	X		X							
Other Studies-Reports-Attachments																				
ESA Biological Evaluation/Assessment	X	X	X		X	X			X		X									
Geotechnical Studies/Report																X	X			
Environmental Site Audits																X				
Assessor's Maps with Nearby Properties																X	X			
Vegetation Management Plan (sensitive areas)									X	X						X				
Storm Drainage Plan (permanent facilities)									X							X				
Earthwork Calculations (>3,000 cu-yds)																X				

	Federal Agencies							State Agencies								Local Agencies				
Data Item	COE - CWA Sect 404 NWP	COE - CWA Sect 404 Individual	COE - RHA Section 10		NOAA - ESA Section 7	FWS - ESA Section 7		Ecology - CWA 401 Cert (404NWP)	Ecology - CWA 401 Cert (404ind)	Ecology - Isolated Wetlands	Ecology - CZM Consistency	Ecology - SMA Review	Ecology - CWA Sect 402 (NPDES)	WDFW - HPA		King County - Critical Areas	King County - Shorelines			
Drawings / Plans / Specifications																				
Maximum Sheet Size																				
8-1/2 x 11-inch	X	X	X																	
8-1/2 x 14-inch																X	X			
11 x 17-inch																				
48 x 48-inch														X						
Black & White Only	X	X	X																	
Title Block Specifications	X	X	X																	
Vicinity Map	X	X	X						X							X	X			
Plan View Drawing Features																				
Shorelines, OHW, MHHW	X	X	X					X	X	X	X			X		X				
Direction of Flow / Tides	X	X	X					X	X	X	X			X						
Aquatic/Wetland/Riparian Vegetation	X	X	X					X	X	X	X			X						
Harbor Lines & Navigation Channels	X	X	X					X	X	X	X			X						
Existing & Proposed Structures	X	X	X					X	X	X	X			X		X	X			
Adjacent Property - Owner - Address	X	X	X					X	X	X	X			X						
Existing & Proposed Contours																X				
Quantity & Type of Fill	X	X	X					X	X	X	X			X		X	X			
Quantity & Type of Dredging/Excavation	X	X	X					X	X	X	X			X		X	X			
Work Already Completed	X	X	X					X	X	X	X			X						
Erosion Control Measures								X	X	X	X			X		X				
Utilities incl. Stormwater Bioswales								X	X	X	X			X			X			
Stormwater Discharge Control/Treatment								X	X	X	X			X						
Landscaping Proposed								X	X	X	X			X						
Mitigation - On-site & Off-site								X	X	X	X			X						
Arterial Streets and Municipal Boundaries																X				
Easements, Setbacks, etc																X	X			
Wildlife Habitat Corridors																X				
Critical Drainage Areas																X				
Special Districts, Open Space, etc																X				
Construction Staging Areas								X	X	X										
Profile (Cross-section) View Drawings																				
Water Level, OHWM, MHHW	X	X	X					X	X	X	X			X		X				
Exisiting and Proposed Contours	X	X	X					X	X	X	X			X		X				
Vertical Dimensions of Structures	X	X	X					X	X	X	X			X		X	X			
Special Aquatic Sites (wetlands, etc)	X	X	X					X	X	X	X			X						
Construction Materials & Methods								X	X	X	X			X						

B. GEOGRAPHIC SCOPE OF DATA

The subcommittee also asked DEA to investigate the geographic extent to which data needed to be provided for various permits. Although instructions for attached drawings provided some clues (adjacent properties or within 500 feet of the proposed project), interviewees uniformly responded that geographic scope was too project specific to be generalized. Thus it remains a requirement that needs to be clarified for each permit prior to submittal, preferably in a pre-application meeting. The geographic authority of each permit agency is dependent upon statutory and administrative law and may be subject to agency interpretation on a case-by-case basis.

5. ATTACHMENTS TO APPLICATIONS

The JARPA and King County applications require several attachments for transportation projects like the hypothetical bridge replacement. Project maps/plans/drawings and technical reports are the two major categories of attachments. King County applications additionally require tax-related attachments like assessor's maps and list of nearby tax parcels. Ecology's NPDES stormwater application (NOI) generally does not require attachments to be processed.

A. DRAWINGS AND MAPS

There is considerable difference among agencies in their requirements for project drawings and maps. Different page size requirements than those commonly used for design drawings and NEPA/SEPA documents complicates preparing application submittals. Logistics of records management (filing) and copying for public distribution by agencies are often at odds with the need for legible drawings that still provide the variety of details requested for agency review of the application. Agency staff that conduct much of their project review in the field tend to prefer larger formats than the letter (8½ x 11-inch) and legal (8½ x 14-inch) page sizes commonly used for office filing.

The Corps routinely distributes public notices to a sizeable mailing list of interested individual and organizations. They require letter size sheets for all drawings. King County specifies legal size format, but will accept larger sheets if they are folded to 8½ x 14-inch. Tabloid sheets (11 x 17-inch) have become a commonly accepted size for most environmental reports and NEPA/SEPA documents. No agency contacted in this study specified tabloid sheets as the maximum size for drawings. Some WDFW staff indicated a preference for formats as large as 48 x 48-inch.

All agencies requiring drawings wanted a vicinity map and both plan and profile (cross-section) views of the proposed construction. Most interviewees and questionnaire respondents indicated final design drawings would have too much detail. Instead each permit seemed to have an optimal level of detail preferred, usually driven by the specific regulatory

responsibility. Most wanted the project footprint and structures in or near water displayed relative to key features such as property lines, ordinary high water mark, and delineated wetland boundaries. A long list of these features is included in the JARPA and King County instructions, and on the Corps website, so it would seem prudent to determine which are needed for specific projects before adding unneeded detail on drawings. However, failure to include requested items on plan sheets is grounds for deeming an application incomplete.

Temporary Erosion and Sediment Control (TESC) Plans, Wetland Mitigation Plans, and Vegetation Plans were the most common additional plans and drawings required. Agency guidance for HPAs states that WDFW staff are best qualified to determine fish (not wetland) mitigation requirements, indicating a need for consultation before these drawings are prepared by the applicant.

B. TECHNICAL REPORTS AND STUDIES

Wetland Reports and ESA Biological Assessments (termed Biological Evaluations by the Corps) were the reports most often required to be included as part of permit applications. Others included Hydrology Reports (for HPAs), Stormwater Pollution Prevention Plans (SWPPP), Geotechnical Studies, and Environmental Site Audits. With the possible exception of SWPPP, there are generally accepted professional standards for these reports and/or specific training on how to prepare them. WSDOT's Environmental Procedures Manual (EPM) also provides considerable guidance on technical reports to help standardize their contents for transportation projects.

The SWPPP contains the TESC, BMPs, and stormwater site plan that are needed by Ecology for developing CWA-401 water quality conditions and for the rare projects that require a NPDES individual stormwater permit. The NPDES stormwater permit application does not specifically require attachment of a SWPPP, only that one will be prepared.

6. HOOD CANAL BRIDGE CASE STUDY

The Hood Canal Bridge Replacement Project (HCB) was a pilot study for permit streamlining by the One-Stop/Pilot Project subcommittee of TPEAC. An interdisciplinary team (IDT) was formed, pre-application meetings were held with staff from permitting agencies, and mitigation requirements were discussed during the NEPA/SEPA process. A JARPA was completed by the IDT as the primary document to collect and collate data common to aquatic permits and approvals. Some permitting agencies participated more than others in completing the JARPA. Consistent with the complexity of HCB and the diverse regulatory responsibilities of various permitting agencies, different attachments to the JARPA had to be submitted for each permit or approval.

A second round of applications was subsequently required for the graving dock in Port Angeles, because it was not initially considered part of the HCB project. Because of time constraints relative to the overall HCB schedule, a completely standardized JARPA was not attempted for the graving dock. Instead numerous variations in JARPA were submitted for this part of the project. Although some data entries were consistent among submittals, the process focused on quickly reacting to specific data requests and requirements from individual agencies.

7. OPPORTUNITIES TO STANDARDIZE DATA REQUIREMENTS

Several opportunities to standardize permit data requirements or streamline preparation of application submittals for transportation projects are recommended for further evaluation and prioritization. It is important to remember that all of the subject aquatic permits and approvals are required for many activities other than transportation projects. Thus it is recommended that WSDOT continue to lead streamlining efforts by exploring opportunities to develop standardized or customized approaches for transportation projects to existing permit processes, rather than advocating widespread changes to these processes at other agencies.

A companion white paper on agency review, public comment, and appeal of permits (EnviroIssues, 2003) and a concurrent IT survey on information technology coordination (CH2M HILL, 2003) provide additional context for these common data opportunities. The One-Stop/Pilot Project subcommittee is also surveying the HCB IDT for feedback on that process, and some results may identify additional opportunities relevant to permit data.

A. CONSIDER COLLECTING ALL REQUIRED DATA IN A SINGLE DATA TOOL, LIKE WSDOT'S PROJECT SUMMARY DATABASE

Issue: Many data items are common to several aquatic permit applications. Completing multiple forms increases the probability of inadvertent mistakes and apparent inconsistencies among applications. And if data values change, they need to be tracked through all applications that require them.

Opportunity: Even though there are barriers that likely prevent a single standardized application form for transportation projects, WSDOT has an opportunity to ensure one-time compilation of data requirements into its Project Summary Database (PSD). All specific data items on JARPA, King County, and other commonly used applications should be included. The concurrent IT survey includes recommendations to improve the efficient use of WSDOT's Geographic Environmental Workbench for some of these data. Incorporating checklists of construction activities and BMPs, like those used on the NPDES stormwater application (NOI), could streamline and standardize some data entry.

Effective implementation of this recommendation requires

1. Commitment from permitting agencies to specify all data items and the units of measure

2. Collaboration among permitting agencies requiring the same item to agree on the preferred data source (see IT survey for more discussion)

3. Commitment by permitting agencies to not change data items or sources (Items 1 and 2 above) without prior discussion among WSDOT and collaborating agencies.

Another aspect of this opportunity is to explore the feasibility of custom output reports from PSD to produce the required spectrum of completed application forms. Finally, opportunities for read-only electronic access to a centralized data system by permitting agencies might allow their staff to view additional information for specific projects without going through formal requests to WSDOT.

B. Consider Developing a Custom JARPA Supplement for Transportation Projects

Issue: Many aspects of design, construction, BMPs, and mitigation are common to all transportation projects, or at least to various types of transportation projects. Maintenance activities that require aquatic permits can also be grouped by category. Many specific details that agencies require for review or approval must be provided in attachments, instead of as items on the application forms.

Opportunity: WSDOT might also want to explore a standardized data attachment that supplements JARPA with information commonly relevant to transportation projects. This could include a page of customized checklists of ground disturbing activities and associated BMPs or other pollution prevention measures for constructing roads and bridges. Another page might summarize wetland, fish, and aquatic habitat conditions, potential impacts, and associated avoidance, minimization, and mitigation measures. Technical report checklists from WSDOT's EPM are also be useful for this purpose. Although some WSDOT regions may use similar de facto supplements to JARPA, having these processes and attachments formalized would provide better documentation and continuity in the event WSDOT project staff change.

C. Explore Standardizing Drawings and GIS Products Attached to Applications

Issue: Permitting and review agencies often responded that more detail should be provided on design elements relevant to their respective regulatory responsibilities. Yet they also consistently indicated that transportation design drawings had too much detail. Furthermore they don't want the complete packet of design drawings, just those sheets that related to their respective responsiblitiy.

Opportunity: Standardizing the drawings attached to application forms may represent another permit streamlining opportunity for transportation projects. Examples of these drawings include TESC plans, revegetation plans, wetland mitigation plans, and SWPPP. The questionnaire did not probe into specific features required on drawings for different permits and approvals.

WSDOT already has a detailed Plans Preparation Manual that includes guidance on CAD layer standards. Evaluating these standards should be done relative to specific permit requirements to identify an effective strategy that indexes and optimizes the production of the drawings required for various agencies and permits. Further research into both the content and format of drawings would be a useful follow-up to this white paper.

Some content requirements may require data from GIS layers rather than engineering plans. Thus different technical tools would be required than those needed for purely format issues with drawings. The concurrent IT survey addresses several issues related to GIS technology. All technology tools need to be fit into WSDOT's Project Delivery Information System Master Deliverable list so all drawings, maps, and GIS products can receive adequate planning at the project level.

D. EXPLORE MAKING 11 X 17-INCH THE STANDARD SIZE FOR DRAWINGS AND MAPS

Issue: It is not a simple process to convert 11 x 17-inch drawings and maps to the 8½ x 11-inch size mandated by some agencies. Photo-reductions often yield text illegible. Drawing software does not automate this type of size reduction.

Opportunity: The JARPA form specifies 8 ½ x 11-inch size for drawings submitted to the Corps and Coast Guard, including the vicinity map. Discussion with the Corps suggest the primary reason for this requirement apparently is to facilitate public notices sent to an extensive mailing list maintained by the agency. Other reasons include record filing and facsimile transmittals, but neither of these should preclude the 11 x 17-inch size that has become almost a de facto drawing standard for transportation planning, exclusive of formal plans, specifications, and cost estimates (PS&Es).

Because the Corps strongly recommends that JARPA be used for all CWA-Section 404 permit applications, there is an implied requirement that 8 ½ x 11-inch drawings be submitted even when activities are covered by a Nationwide Permit (NWP). As mentioned in Section 1 of this paper, less than 5 percent of WSDOT projects between 1999 and 2001 required 404 individual permits, for which the Corps distributes public notices to its mailing list. So over 95 percent of WSDOT projects would not require copying for distribution. Thus WSDOT would seem to have an opportunity to use 11 x 17-inch drawings and maps, perhaps folded to 8 ½ x 11-inch size for agency record filing, for the vast majority of aquatic permit applications it submits.

Even if a project requires public notice, exploring alternative means of Corps public notice for transportation projects would be a useful pilot study in streamlining permit applications, if that is the major reason the agency requires letter size drawings. Alternatives might include notification by email, posting on the internet, or even postcard mailings with WSDOT providing direct mailings to those requesting drawings. Anything allowing tabloid size drawings would probably be hailed as a permit application streamlining success by many in WSDOT.

E. CONTINUE TRENDS TOWARD STANDARDIZED REPORTS AND MITIGATION STANDARDS

Issue: Differences in content of reports and other study products required by permitting agencies can lead to inconsistencies and inefficiencies. Likewise differences in mitigation and buffer standards can also be confusing.

Opportunity: DEA staff concurrently developing and teaching a basic environmental permitting class for WSDOT observed trends toward standardizing some of the reports frequently submitted with aquatic permit applications. For example, wetland reports are increasingly conforming to Ecology guidelines, particularly in western Washington. Likewise, wetland replacement ratios, when impacts cannot be avoided, are also becoming similar among the Corps, Ecology, and local jurisdictions.

Regional WSDOT staff indicate few problems with wetland reports and mitigation requirements among agencies within their respective regions. They also acknowledge regional differences in the level of environmental complexity of typical construction and maintenance projects. Key environmental staff from WSDOT regions that contributed to this white paper are long tenured staff that have developed effective permitting over the years. Frequent turn-over of permitting staff at some regulatory agencies has been identified as a complicating factor.

It is important to capture and document the collective lessons learned by senior WSDOT staff, and provide opportunities to pass them on to regulatory staff, or at least provide periodic opportunity to confirm their continued applicability. WSDOT's Environmental Procedures Manual (EPM) already contains substantial guidance on preparing various reports that might be attached to permit applications. Soliciting reviews of relevant sections and guidance by respective permitting staff whenever the EPM is being periodically revised and updated represents an opportunity for WSDOT to continue expediting trends toward standardization.

F. ENCOURAGE USE OF A SINGLE APPLICATION, PREFERABLY JARPA, FOR ALL LOCAL SHORELINES, FLOODPLAIN, AND WETLAND PERMITS

Issue: Only about half of Washington counties use JARPA for aquatic permits. Some local jurisdictions use different application forms, each of which require multiple sopies of attachments, for shoreline versus critical area permits they issue.

Opportunity: Ecology reports that 24 counties and 59 cities use the JARPA form for their shoreline, floodplain, or critical area wetlands permits (Table 2). Having this form accepted by all local jurisdictions seems an obvious opportunity. That will require additional study on the reasons JARPA isn't used for these permits by some local jurisdictions. King County forms were developed prior to JARPA and are intended to provide enough data for the pre-application meeting, when appropriate additional information needs for the project applications are specified. But there may also be specific requirements of some local regulations and ordinances that need to be considered. Canvassing other city and county jurisdictions was beyond the scope

of this study, so the extent that JARPA is used by them, and the reasons why it isn't, cannot be discussed in this white paper. This might be a useful follow-up study.

Table 2: Local Jurisdictions that use the Joint Aquatic Resources Permit Application Form (JARPA)

Cities and Towns			Counties
Anacortes	Kelso	Port Townsend	Adams
Asotin	Kent – Engineering Dept.	Poulsbo	Clark
Bellingham	Kittitas	Pullman	Columbia
Blaine	La Center	Redmond – Planning Dept.	Cowlitz
Buckley	La Conner	Renton	Douglas
Carnation	Lake Forest Park	Seattle – Const. Dept.	Grant
Cathlamet	Lake Stevens	Sequim	Grays Harbor
Chehalis	Langley	Shelton	Ferry
Dayton	Metaline	Snohomish	Franklin
East Wenatchee	Millwood	South Bend	Jefferson
Elma	Mountlake Terrace	Spokane	Kitsap
Ephrata	North Bend	Stanwood	Kittitas
Everett	Oak Harbor	Steilacoom	Klickitat
Everson	Ocean Shores	Sultan	Lewis
Federal Way	Okanogan	Tacoma Public Works	Okanogan
Friday Harbor	Olympia	Tonasket	Pend Oreille
Gig Harbor	Oroville	Twisp	Pierce
Hoquiam	Palouse	Vancouver	Skagit
Index	Pateros	Westport	Skamania
Illwaco	Port Orchard		Spokane
			Thurston
			Wahkiakum
			Walla Walla
			Whitman

Source: Washington Department of Ecology, June 2003

King County indicated that they may have an opportunity to combine their shoreline permit and clearing and grading permit into a single application. The separate forms were developed when the respective programs were separate. But a single pre-application meeting is now held for both permits, which are typically reviewed and processed by one County staff. There also is considerable overlap in the additional information requested for both permits, some of which require multiple copies (up to 20) for each permit.

8. BARRIERS TO STANDARDIZING DATA REQUIREMENTS

A. DIFFERING REGULATORY RESPONSIBILITIES

Differing regulatory responsibilities of the various agencies and their permit(s) make it doubtful that much additional streamlining of application forms will occur beyond that already accomplished by developing the JARPA. Transportation projects are only one type of proposed activity covered by the permits reviewed for this white paper. Data requirements that seem appropriate to standardize for transportation projects likely would be inappropriate or excessive for other activities.

B. REVIEW STAFF DON'T WANT EXTRANEOUS INFORMATION

A related barrier to standardizing data requirements is that several agency staff indicated they do not want to wade through excessive information to find the data relevant to their specific review and evaluation. This situation reinforces the value of pre-application meetings to clarify data requirements for specific permits. Only King County requires pre-application meetings, but nearly all agencies indicated they should be held for transportation projects.

C. LETTER SIZE MAXIMUM PAGE SIZE

The Corps' requirement that drawings be letter size is a barrier to standardized drawings. This requirement seems more related to the agency's public notice process than to record filing restrictions. Commonly used tabloid size drawings fold to letter size (if the number of sheets is not excessive), which would also meet King County size requirements. But simply reducing detailed tabloid drawings to letter size generally results in problems with legibility.