



Section 9401

Northwest Area Contingency Plan Permit Summary Table

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Permit Name	Agency	Operation	Purpose of Permit	Waiver? Equivalent Standard? Timing?	Additional Information	Application Form
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.	Nationwide Permit # 20 allows the Federal On-Scene Coordinator (FOSC) to conduct work without this permit.		JARPA*: http://www.epermitt ing.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 CZMA, National Historic Preservation Act, Endangered Species Act, Tribal Trust Issues, and National Environmental Policy Act. Nationwide Permit # 20 allows FOSC to conduct work without this permit.		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.		https://www.achp.gov/protecting-historic-properties	

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FEDERAL PERMITS (continued)						
Lane Closure Permit	Department of Transportation (DOT)					
Access to Lands Managed by DOI	DOI					
Migratory Bird Treaty Act (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
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.		https://www.fisheries.noaa.gov/topic/marine-mammal-protection	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).		https://www.fisheries.noaa.gov/topic/endangered-species-conservation	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/index.cfm/announcement/view/8527	https://faaco.faa.gov/index.cfm/announcement/view/8527
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/WW/Pages/Permits.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.oregon.gov/deq/wg/wqpermits/Pages/Section-401-Certification.aspx	http://www.oregon.gov/dsl/WW/Pages/WWforms.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.oregon.gov/deq/wq/wqpermits/Pages/Stormwater.aspx	http://www.oregon.gov/deq/wq/wqpermits/Pages/Stormwater.aspx
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.	https://www.oregon.gov/owrd/WRDPublications1/aquabook.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/WW/Pages/WWforms.aspx	
Waste water permits	State On-Scene Coordinator (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.oregon.gov/deq/mm/swpermits/Pages/Solid-Waste-Letter-Authorization.aspx	

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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.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-for-Businesses.aspx	http://www.oregon.gov/deq/Hazards-and-Cleanup/Pages/Asbestos-Forms.aspx
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.oregon.gov/deq/Hazards-and-Cleanup/hw/Pages/ID-Reporting-Fees.aspx	http://www.oregon.gov/deq/FilterDocs/SLFormHazWasteAct.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://www.oregon.gov/odot/mct/pages/over-dimension.aspx#Permit_Service_Agents	http://www.oregon.gov/ODOT/MCT/Pages/Over-Dimension.aspx
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 (Total Maximum Daily Loads [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/water-rights/	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	Washington State Environmental Protection Act (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.		https://ecology.wa.gov/Water-Shorelines/Water-quality/Water-quality-permits
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.		https://wdfw.wa.gov/species-habitats/living/injured-wildlife/rehabilitation/requirements	https://wdfw.wa.gov/species-habitats/living/injured-wildlife/rehabilitation/resources
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.			https://dahp.wa.gov/archaeology/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).		https://dahp.wa.gov/project-review/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.			https://ecology.wa.gov/Air-Climate/Air-quality/Smoke-fire/Outdoor-residential-burning
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			https://ecology.wa.gov/Water-Shorelines/Water-quality/Wastewater

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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)			https://archive.epa.gov/region02/capp/web/pdf/asbestosnotificationformff.pdf
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.			https://ecology.wa.gov/Regulations-Permits/Reporting-requirements/Dangerous-waste-reporting-requirements/Notification-of-Dangerous-Waste
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 WDOE.	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.		https://ecology.wa.gov/Water-Shorelines/Shoreline-coastal-management/Shoreline-coastal-planning	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.)