

Conceptual Review Pathway Tiers July 2026

State Water Alteration Permit



Overview

This is a summary of conceptual review pathway tiers and timelines under consideration for the WAC 173-217 rulemaking. The concepts may change as Ecology gathers more information during the informal comment period. We would like to hear your thoughts on these concepts. Please let us know your suggestions, needs, concerns, and recommendations for us, to help guide us as we develop the permit rule.

Potential review pathway tiers

We are currently proposing the following 3 review pathway tiers under the State Water Alteration Permit rulemaking:

1. Tier 1 – Notification
2. Tier 2 – General Permit (GP)
3. Tier 3 – Individual Permit (IP)

Conceptual wetland tiers July 2026

	Tier 1 Notification	Tier 2 General Permit	Tier 3 Individual Permit
Direct Impacts* (*compensatory mitigation required for all impacts)	<0.1-acre impacts OR Short-term temporary impacts (<1 year)	0.1-0.5-acre impacts	>0.5-acre impacts
Category Considerations	De minimis or short-term impacts to lower functioning wetlands Excludes impacts to: • Individual wetlands part of a mosaic • High habitat score (8-9 points) • Special characteristics	Impacts to lower functioning wetlands that can be readily mitigated Excludes impacts to: • Cat I, • Cat II high habitat score • Special characteristics • High habitat score	Complex projects with the potential to have significant adverse impacts Includes impacts to: • Cat I, • Cat II high habitat score • Special characteristics • High habitat score
Avoidance and Minimization	Avoidance and Minimization Checklist	Required + project specific narrative	Required + project specific narrative
Mitigation	Required, as appropriate	Required	Required

Conceptual in-water work tiers July 2026

	Tier 1 Notification	Tier 2 General Permit	Tier 3 Individual Permit
Criteria of concern	Turbidity only, disturbance of in-place sediments (including dredging) or ≤10 CY permanent fill	Turbidity and pH managed sufficiently by following terms of the permit	Projects with significant contributions of pollutants as determined by Ecology (pH impacts, other water quality parameter concerns)
Qualifying Conditions	• Work will meet the water quality standards for turbidity • Only work within uncontaminated sediments • Can be completed in one in-water work window	• Work will meet the water quality standards for turbidity • If dredging in contaminated sediments, the project has received a suitability determination for open water disposal	• Projects needing an extended area of mixing for turbidity • If dredging in contaminated sediments and upland disposal is required
<u>Potential Project Activity Examples</u>	• Ditch maintenance depending on connection to downstream waters • Small culvert project • Small area of pile placement/removal	• Cofferdam installation and removal • Bank stabilization • Culvert replacement	• Dam construction or removal • Existing and ongoing cleanup site • Stream realignment

Conceptual Timelines

	Tier 1 Notification	Tier 2 General Permit	Tier 3 Individual Permit
Pre-application meeting	Optional	If requested 45 days prior to permit application submittal Ecology response within 30 days after meeting	45 days prior to permit application submittal Ecology response within 30 days after meeting
Acknowledgement of application	15 days of receipt	15 days of receipt	15 days of receipt
Application screening	45 Days to screen for eligibility If eligible, no further action from Ecology and project can proceed after 45 days	45 Days to screen for complete application	45 Days to screen for complete application
Review	Not applicable	180 Days to decision	1 Year to decision
Additional Information Requested by Department	Not applicable	Applicants must provide information within 90 days or the department may cancel the application	Applicants must provide information within 90 days or the department may cancel the application