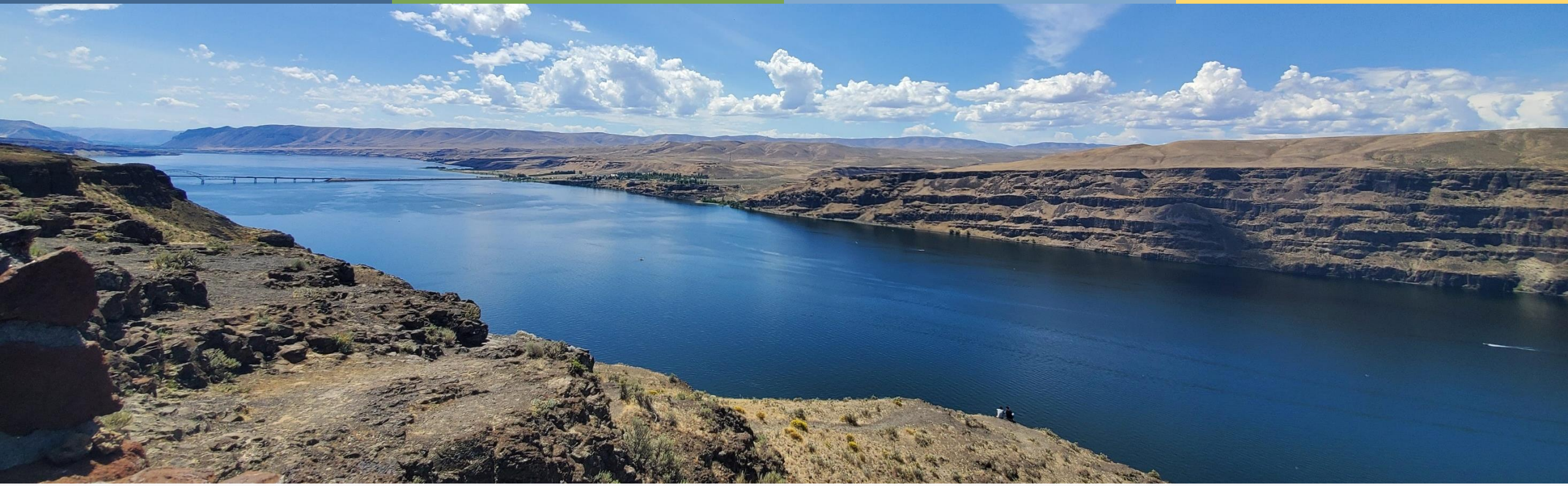


DEPARTMENT OF ECOLOGY
State of Washington

Proposed State Waters Alteration Permit

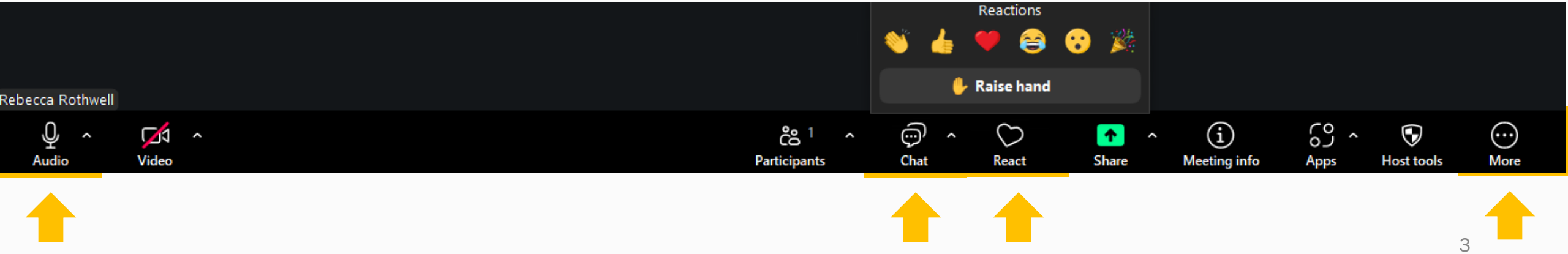
July 2026 Public Listening Session

Ecology staff

- **Lauren Driscoll:** wetlands section manager & rulemaking manager
- **Nathan Rudolph:** rulemaking lead
- **Teresa Opolka:** wetlands policy lead
- **Sierra Blakely:** wetland specialist
- **Loree' Randall:** Aquatic permitting and protection section manager & in-water specialist

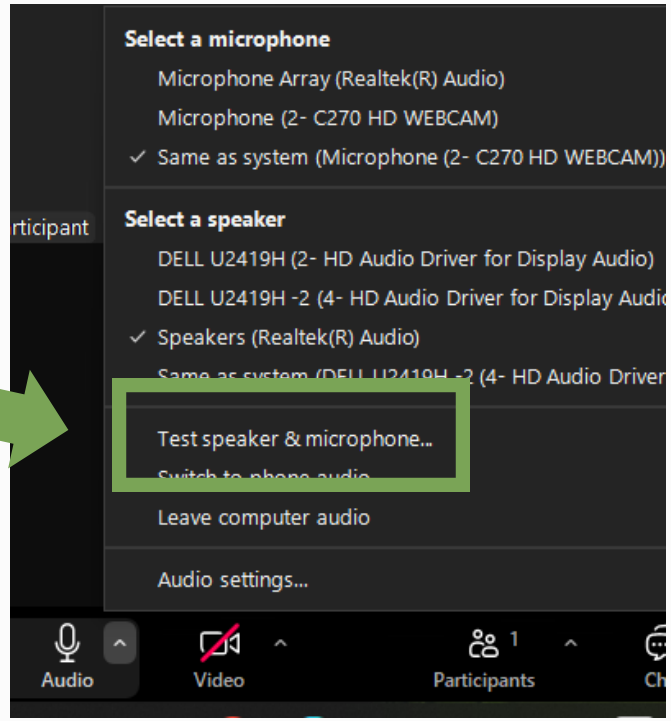
Zoom meeting tips

- Hover over the bottom of your screen for Zoom controls
- To speak, raise your virtual hand by clicking “react” then “raise hand.”
- Please stay muted unless you have been invited to speak.
- Chat and Q&A are available; Q&A may be under “more.”



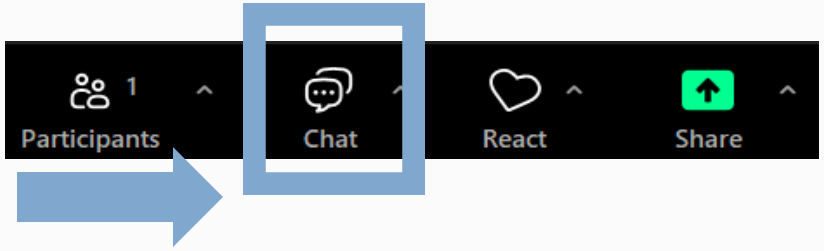
Zoom audio tips

No sound? In audio settings, Click “Test speaker & microphone” to confirm speaker and mic match settings in Zoom.

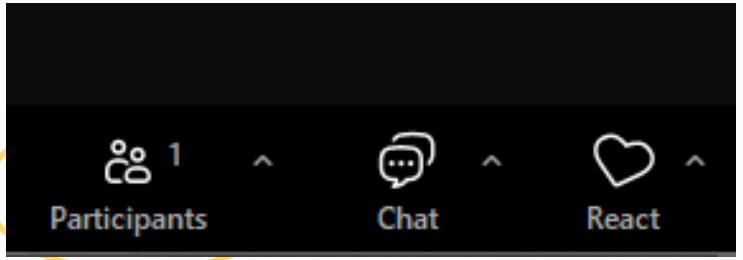


Slow internet connection? Consider calling in for clearer audio. Dial 253 205 0468 or 253 215 8782; put in meeting ID: 863 8038 7879, then passcode: 191073

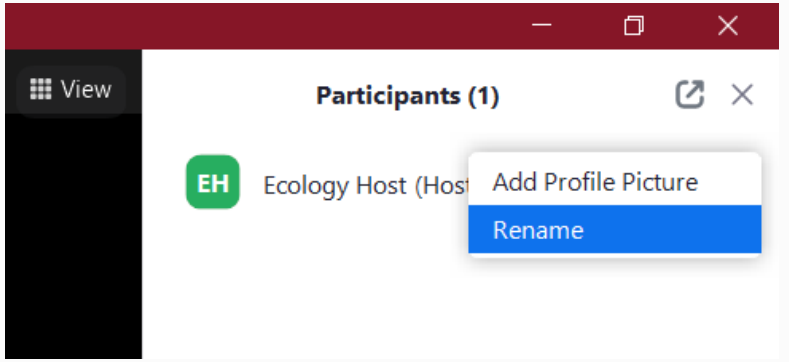
Still experiencing technical difficulties? Message Ecology’s
Sierra Blakely in chat.



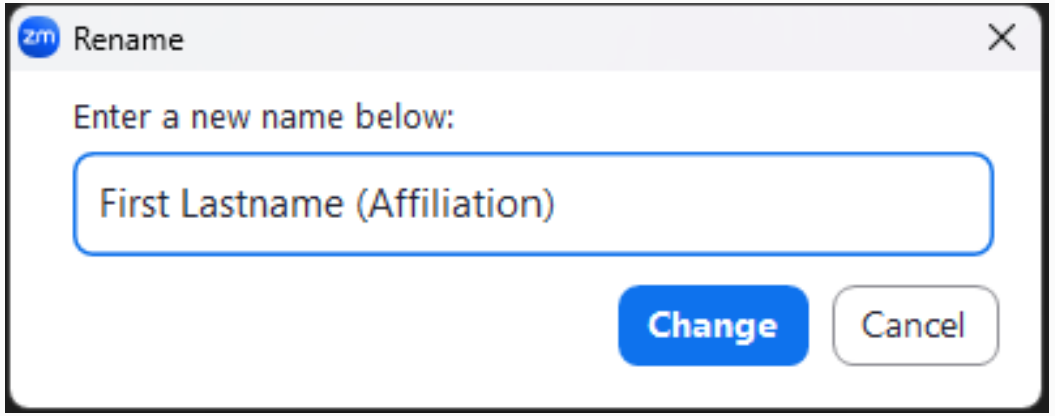
Changing your name



Click “Participants” icon located at bottom of Zoom window.



Select the “**...**” next to your name to open the options menu.



Click “Rename” with your affiliation (optional)

Meeting Ground Rules

- This session is not being recorded
- This is a **listening session**, not a formal public hearing
- Treat all speakers and attendees with respect
- Mute your microphone, unless called on to speak
- Respect speaking time limits (~2 minutes)

Guidance for submitting questions

Questions and comments

- can be submitted in the chat
- may be asked at the end of the presentation
- may be sent through email SWAPRulemaking@ecy.wa.gov

Meeting goal & agenda

Goal: Receive feedback to guide rule development

- Rulemaking Objectives
- Rulemaking timeline
- Permit scope
- Draft Review Tiers – Wetlands
- Draft Review Tiers – In-water work
- Timelines

Need assistance? Type your request in chat, email Sierra Blakely at Sierra.Blakely@ecy.wa.gov, or call 564-250-0449.

Rule objectives

- Continue to protect all state waters
- Establish opportunities for public review
- Provide better clarity & predictability about our actions and requirements
- Set timelines for decisions
- Create general permits for projects with minor impacts
- Establish exemptions



Rulemaking process overview



- Notify public about Ecology's rulemaking intent
- Develop draft rule language
- Share draft rule framework for informal comments
- Share proposed rule language
- Finalize & share adopted rule language



Permit scope

Surface waters of the state including wetlands

Regulated activities

- Work affecting wetlands
- Work below the ordinary high-water mark in state waters, including:
  - Streams
  - Ponds
  - Lakes
  - Marine waters

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 • Special characteristics • High habitat score	Impacts to lower functioning wetlands that can be readily mitigated **Excludes** impacts to: • Cat I • Special characteristics • High habitat score	Complex projects with the potential to have significant adverse impacts **Includes** impacts to: • Cat I • 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
Potential Project Activity Examples	• Ditch maintenance depending on connection to downstream waters • Small culvert project • Small area of pile placement/removal	• Coffer dam 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



Thank you for your partnership

Ecology commits to working with the public on the development of the proposed State Waters Alteration Permit.

As we continue rule development, we will be offering additional public engagement opportunities with future listening sessions.



Ways to stay involved

- Stay informed

[WAC 173-217 - Washington State Department of Ecology]

- Sign up for notices

[GovDelivery]

- We want to hear from you

[SWAPrulemaking@ecy.wa.gov]

ADA Accessibility

The Department of Ecology is committed to providing people with disabilities access to information and services by meeting or exceeding the requirements of the Americans with Disabilities Act (ADA), Section 504 and 508 of the Rehabilitation Act, and Washington State Policy #188.

To request an ADA accommodation, contact Ecology by phone at 360-407-6831 or email at ecyadacoordinator@ecy.wa.gov. For Washington Relay Service or TTY call 711 or 877-833-6341. Visit Ecology's website for more information.