



Concept Paper

Chehalis Basin Permitting Team

October 16, 2012

I. Introduction:

Following is presented as follow-up to initial discussions briefly held at the 9/20/2012 Flood Authority meeting on the subject of permitting efficiency for Chehalis River Basin flood relief projects. The purpose of this document is to further those discussions and to set next steps (if any) as appropriate.

II. Background:

The Chehalis River Basin Flood Authority (Flood Authority) and the Chehalis Tribe, through Chapter 1, Laws of 2012, Section 313 (<http://apps.leg.wa.gov/documents/billdocs/2011-12/Pdf/Bills/Session%20Laws/Senate/5127.SL.pdf>), have been authorized to obligate the expenditure of up to \$5 million (State Capital Budget) for Chehalis River basin flood relief projects as follows:

- \$1,875,000 for "Repairing and Modifying Levees and Dikes (including but not limited to, airport levee, levees protecting Adna and Bucoda)."
- \$2,075,000 for "Modification of Sickman Ford Bridge and Floodplain Culverts (to open channel, increase conveyance and offer flood relief)."
- \$50,000 for "Installation and Calibration of a Rain Gauge on the Chehalis Reservation."
- \$500,000 for "Construction of Evacuation Routes and Pads (to avoid future livestock losses)."
- \$500,000 for "Improvements to Areas Affected by the Satsop River."

The Flood Authority has additionally been asked to develop a list of potential projects for consideration in the 2013-2015 State Capital Budget.

Projects already funded, as well future projects to be funded, will in most cases require acquisition of permits and regulatory approvals from local, state and federal agencies. These permits can include construction, shoreline, stormwater, water quality, hydraulics, archaeology, and discharge of dredge or fill. Obtaining permits on a project-by-project basis can be time consuming both for applicants and regulatory agencies. Time-consuming permitting and environmental review is not the interest of flood-weary basin residents.



III. Chehalis Basin Permitting Team:

Over the past decade, the State of Washington and its environmental regulatory agencies have invested considerable time and energy into finding ways to “streamline” the environmental permitting and regulatory decision-making process. The goal behind the state’s streamlining investment has been to make the permitting and regulatory process more efficient, predictable, flexible, and outcome-oriented in order to yield operational efficiencies and environmental gains for applicants and agencies alike.

One notable example where this has occurred has been with the WSDOT Multi-Agency Permitting Team (<http://www.wsdot.wa.gov/Environment/MapTeam/default.htm>) located at the Northwest Regional Office of the WA Department of Ecology (Bellevue, WA). This team co-locates representatives of the following permitting and regulatory agencies to work exclusively on WSDOT projects: Washington State Department of Transportation (WSDOT); Washington State Department of Ecology (Ecology); Washington Department of Fish and Wildlife (WDFW); United States Army Corps of Engineers (Corps); and King County Department of Development and Environmental Services (KC DDES).

There are many aspects of the flood relief projects being considered for the Chehalis Basin that suggest value in considering a permitting team approach for environmental review and permitting. These aspects include:

- Projects in many cases require multiple permits and approvals from multiple agencies (e.g., local SEPA, local shoreline, state hydraulics, state cultural resources, local/state flood review, etc.).
- Projects in many cases require review, approval and coordination with multiple agencies and organizations.
- Projects all to one degree or another have a heightened level of urgency (profile) to get done and be done right (accountability and visibility).

What would a permitting team for Chehalis Basin flood relief projects look like? Broadly speaking, a “Chehalis Basin Permitting Team” would (following the WSDOT model):

- Be geographically focused on projects with the Chehalis River Basin.
- Staffed by senior-level personnel with broad permitting and regulatory decision-making experience representing local, state, and federal agencies.
- Responsible for maintaining partnerships and working relationships with local, state, federal and tribal organizations with the Basin that can be called upon to join the team on a project-by-project basis.
- Responsible for integrated and consistent permitting and regulatory decision-making.
- Measure and report on team performance.
- Resolve issues and disputes.



IV. Benefits:

Permitting teams (like the WSDOT permitting team) have shown their benefit in many ways including:

- **Increased permitting predictability** – Permitting team identifies and communicates early-on specific requirements, thresholds, sequences and timelines.
- **Increased inter-agency early project coordination** -- Permitting team manifests its work as a team through joint site visits, combined pre-application conferences and reviews, combined correspondences and comment letters, integrated decision-making, etc.
- **Increased inter-agency accessibility** -- Permitting team is clearly identifiable and known as the single entity responsible for environmental review and permitting
- **Improved inter-agency relationships and collegiality** -- Permitting team works together as a team and in enjoys the benefit of a broader work experience (beyond strictly their jurisdictional area) and a broader sense of purpose (important and visible work on profile projects).
- **More effective and appropriate mitigation** -- Permitting team by its cross-agency nature can better identify mitigation and mitigation opportunities that will provide best "bang-for the buck" as well best placement in watershed.

V. Next Steps:

The Flood Authority could at this juncture choose to do nothing and rely upon the present permitting system as it is. The Flood Authority could choose to scope out the details and issues associated with setting up a Chehalis Basin Permitting Team for today's projects. The Flood Authority could choose to scope out the details and issues associated with setting up a Chehalis Basin Permitting Team for future (e.g., 2013-2015) projects.

If there is interest in move further forward with setting up a Chehalis Basin Permitting Team, then matters that will invariably need to be addressed include:

- Specific composition of the team (agencies, skill sets, team member roles/responsibilities, etc.).
- Funding source (existing, supplemental, cost-reimbursed, etc.).
- Projects and activities for the team (permitting, permit scoping, mitigation and mitigation identification, etc.).
- Executive and/or Legislative role in moving forward, if any.



- Team sponsor (Flood Authority? Office of Regulatory Assistance? Other?)
- Tools and resources.

VI. Further Information:

Following offers a few additional background resources on using multi-agency permitting teams in Washington.

- Statutory authority to convene and organize multi-agency permitting teams through the Governor's Office of Regulatory Assistance – RCW 43.42.092 (<http://apps.leg.wa.gov/rcw/default.aspx?cite=43.42.092>).
- Statutory authority to fund state permitting agencies (separately or as part of multi-agency permitting teams) – RCW 43.42.070 (<http://apps.leg.wa.gov/rcw/default.aspx?cite=43.42.070>).
- Highly-successful WSDOT Multi-Agency Permitting Team established in October 2003 -- See <http://www.wsdot.wa.gov/Environment/MapTeam/>.
 - Washington State Department of Transportation.
 - Washington State Department of Ecology.
 - Washington Department of Fish and Wildlife.
 - United States Army Corps of Engineers.
 - King County Department of Development and Environmental Services.
 - WSDOT Multi-Agency Permitting Team Charter -- <http://www.wsdot.wa.gov/NR/rdonlyres/85C70EE8-6E44-4BBD-9925-266D714AE2C2/0/MAPTCharter2003.pdf>.