

CHUCK CLARKE
Director



STATE OF WASHINGTON
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF EMERGENCY MANAGEMENT

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January 30, 1991

Mr. Peter Walker, Jr.
Secretary
Dike District #12
1265 McLean Road
Mount Vernon, WA 98273

RE: State No. 1-91-645-36
FEMA No. 883-DR-WA
057-91002
Dike District #12

Dear Mr. Walker, Jr.:

Your flood damage repair project activities are subject to compliance with the State Environmental Policy Act (SEPA). To determine if your projects are exempt from SEPA action, you should review Washington Administrative Code (WAC) 197-11-800. Since most of your projects will include repairs to existing structures, WAC 197-11-800 may provide a categorical exemption, unless it is on lands wholly or partially covered by water. Information on preparation of these documents is explained in detail in the guidelines.

If the projects are not exempt from SEPA, an environment checklist must be prepared, from which a decision can be made to issue a determination of non-significance or prepare an Environmental Impact Statement.

In addition, under Revised Code of Washington (RCW) 75.20.100 (Hydraulics Code), a Hydraulics Project Approval (HPA) will be required if there is work within the ordinary high water line. Either the Department of Fisheries or the Department of Wildlife will take the lead. If an HPA is required for your activity, your application should be submitted to the appropriate department. By law, an HPA cannot be issued prior to SEPA compliance. To expedite the HPA process, please indicate on your application the lead SEPA agency, SEPA declarations (DNS, EIS, or exempt), and the date of the action.


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There also may be permits and certifications necessary for your activities, such as, but limited to U.S. Army Corps of Engineers, Section 10 and 404 permits to construct and fill in waters of the United States; water quality and coastal zone certifications of the federal licensor; shoreline permits; modifications to the state water quality standards; archaeological resources evaluations; and easements and right-of-ways.

It is the responsibility of the applicant to comply with all local regulations and to pursue the request for the permits required.

If you have any questions, please call me at 1-800-562-6108.

Sincerely,



Terry R. Simmonds, Administrator
Community Support Program

cc: Mike Palko, Department of Ecology
Millard Deusen, Department of Fisheries
Jerry Smith, Department of Wildlife
Paul Komoroske, U.S. Army Corps of Engineers

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