



State of Washington  
**DEPARTMENT OF FISH AND WILDLIFE**

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

**DETERMINATION OF NONSIGNIFICANCE (DNS)**

**Name of Proposal:** DNS 22-044: SHORELINE STABILIZATION HYDRAULIC CODE  
RULE CHANGES

**Description of Proposal:**

This proposal is for rule making involving WAC 220-660-370. The rules are being amended to incorporate statutory requirements enacted in 2021 under Substitute Senate Bill 5273. These statutory requirements became effective July 25, 2021. Changes to the rule include:

- For the protection of fish life, replacement of residential marine shoreline stabilization must utilize the least impacting technically feasible alternative;
- Alternatives are identified from most to least preferred;
- A site assessment and alternatives analysis report prepared by a qualified professional is required as part of a complete application for a Hydraulic Project Approval (HPA) permit for this type of project; and
- Mandatory report elements are identified.

The amendments affect how Hydraulic Project Approval (HPA) permits are processed.

To implement these requirements from statute and rule, the proposed rule also describes processing procedures for emergency and expedited HPA applications for the following marine project types:

- new shoreline stabilization;
- waterward replacement of shoreline stabilization; and
- replacement of residential shoreline stabilization.

These processing procedures ensure that emergency and expedited permits can be issued in a timely manner while still complying with the standard of “least impacting technically feasible alternative”.

**Proponent/Applicant:** Washington State Department of Fish and Wildlife (WDFW)  
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**Location of Proposal, including street, if any:**

WAC 220-660-370 applies to all marine shorelines, including Puget Sound, the Strait of Juan de Fuca, the outer coast and coastal estuaries. Counties include: Clallam, Jefferson, Grays Harbor,

Pacific, Kitsap, Mason, Thurston, San Juan, Whatcom, Island, Skagit, Snohomish, King and Pierce.

**Lead Agency:** Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law<sup>1</sup> does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

We issued this DNS according to state rules.<sup>2</sup> Agencies, tribes, and members of the public are invited to comment on this proposal or DNS. We must receive your comments within 26 days of the date of this determination. The comment period will end at **11:59 pm on October 31, 2022.**

**Method of Comment:**

SEPA documents related to this proposal can be reviewed at the WDFW SEPA website at: <http://wdfw.wa.gov/licenses/environmental/sepa/open-comments>.

The following procedures shall govern the method to comment on agency SEPA proposals. Comments received through these procedures are part of the official SEPA record for this proposal. You can submit your comments through one of the following ways:

- Online at the Public Input comment portal for this proposal: <https://publicinput.com/ShorelineStabilizationRules>
- Email to: [ShorelineStabilizationRules@PublicInput.com](mailto:ShorelineStabilizationRules@PublicInput.com)

**Responsible Official:** Lisa Wood

**Position/Title:** SEPA/NEPA Coordinator, WDFW Habitat Program, Protection Division

**Address:** P.O. Box 43200, Olympia, WA 98504-3200

After the comment period closes, applicants may view the updated status of this proposal on the WDFW SEPA website: <https://wdfw.wa.gov/licenses/environmental/sepa/closed-final>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.<sup>1</sup>

If you have questions about this DNS or the details of the proposal, or have difficulty with the Public Input comment portal, contact Lisa Wood at: [SEPADesk2@dfw.wa.gov](mailto:SEPADesk2@dfw.wa.gov).

**DATE OF ISSUE:** October 5, 2022

**SIGNATURE:**



Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 22-044.dns

*Individuals who need to receive this information in an alternative format or language, or who need reasonable accommodations to participate in WDFW-sponsored public meetings or other activities may contact the Title VI/ADA Compliance Coordinator by phone at 360-902-2349, TTY (711), or email ([Title6@dfw.wa.gov](mailto:Title6@dfw.wa.gov)).*