

Local Governments Determination on Permits

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Secretary of Transportation

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February 2021



Washington State
Department of Transportation

RE: RCW 47.01.485 (2) – Report on local governments taking longer than 90 days to make a final determination on permits

The 2015 Legislature directed the Washington State Department of Transportation (WSDOT) to track and report any permit application for a project, with an estimated cost of less than five hundred million dollars on a state highway, that took more than 90 days for local governments (cities, towns, code cities, and counties) to process following the submission of a complete application. RCW 47.01.485 (2) states:

“The department must report annually to the governor and the transportation committees of the house of representatives and the senate in compliance with RCW 43.01.036 regarding any permit application that takes longer than the number of days identified in subsection (1) of this section to process.”

WSDOT Response

The timeframe for this report is for permit application packages submitted between October 3, 2019 and October 2, 2020. Staffing adaptations due to COVID-19 contributed to some of the local government permit processing delays. Based on information from WSDOT’s regional offices, for the timeframe stated above, eight WSDOT permit submittals took local jurisdictions more than 90 days to process.

Project name	Project cost (millions)	Local jurisdiction	Permit type	Calendar days to process permit	Why did it take over 90 days?
I 405, SR 522 Vicinity to SR 527 Express Toll Lanes Improvement Project	\$400	City of Bothell	Shoreline Conditional Use	>210	Coordination delays due to COVID-19 and city furloughs.
US 395 / North Spokane Corridor - Spokane River Bridges	\$32.1	City of Spokane	Shoreline Substantial Development	105	Application time limits in city ordinance allow 120 days (SMC 17G.060.090). In addition, COVID-19 impacted Public Hearing by 19 days due to virtual meeting requirements.
SR 4/ Skamokawa Vic. to 0.3 Miles West of SR 432 - Chip Seal	\$3.9	Cowlitz County	Shoreline Exemption	>120	County staffing shortages related to COVID-19.
I-5 / NB Marine View Drive to SR 529 Corridor and Interchange Improvements	\$87	City of Marysville	Shoreline Substantial Development	191	Timeline delay due to project complexity, staff workloads, hearing examiner availability, mandatory comment periods, and project-specific challenges such as FEMA/LOMR/CLOMR questions that arose.

Project name	Project cost (millions)	Local jurisdiction	Permit type	Calendar days to process permit	Why did it take over 90 days?
I-5 / NB Marine View Drive to SR 529 Corridor and Interchange Improvements	\$87	City of Marysville	Floodplain Development	157	Timeline delay due to project complexity, staff workloads, hearing examiner availability, mandatory comment periods, and project-specific challenges such as FEMA/LOMR/CLOMR questions that arose.
I-5 / NB Marine View Drive to SR 529 Corridor and Interchange Improvements	\$87	Snohomish County	Shoreline Substantial Development	240	Delays due to invoicing issues, staffing availability due to a retirement, COVID-19, and public comment timelines.
I-5 / NB Marine View Drive to SR 529 Corridor and Interchange Improvements	\$87	City of Everett	Shoreline Substantial Development	105	Delays due to hearing date schedules being out three months, workloads, and comment periods.
I-5 / NB Marine View Drive to SR 529 Corridor and Interchange Improvements	\$87	City of Everett	Shoreline Conditional Use	105	Delays due to hearing date schedules being out three months, workloads, and comment periods.

Note: if the “Days to process permit” includes a “>” then the local jurisdiction has not issued the permit as of 2/1/2021.

Should you have any questions, or need further information, please contact Megan White, Environmental Director, at 360-705-7480, or megan.white@wsdot.wa.gov.