

**Table 1-2: Pertinent Regulations, Statutes, and Ordinances**

Permit, Approval, or Review	Agency with Jurisdiction <sup>1</sup>	Evaluation/Issue	Statute or Regulation
<b>Federal</b>			
Endangered Species Act	NOAA Fisheries, U.S. Fish & Wildlife Service	Endangered Species Protection/Compliance	ESA 7; 16 USC 1531 et seq.; 50 CFR 402
Clean Water Act, Section 404 (Nationwide Permit)	U.S. Army Corps of Engineers	Wetlands	33 USC 1344, Section 404; 40 CFR 231 (Authority), 233 (State); 33 CFR 320-330
National Pollutant Discharge Elimination System Permit	U.S. EPA, Clean Water Act (by Washington Department of Ecology)	Stormwater and Industrial Discharges	40 CFR 122; also see #13-15 under Washington State
Notice of Proposed Construction or Alteration	Federal Aviation Administration	Aviation Regulations and Lighting	14 CFR Part 77; FAA Advisory Circular 70/7460-1 AC70/7460-1K; FAA Advisory Circular No, 70/460-2H
Oil Pollution Prevention and SPCC Plan	WA Department of Ecology	Discharge of soil to waters of the U.S.	Clean Water Act, 33 USC 1251; 40 CFR 112
National Historic Preservation Act	WA Office of Archaeology and Historic Preservation	Historic and Cultural Preservation/Compliance	NHPA 106; 16 USC 470 et seq.; 36 CFR 60-63, 800; et al. Chapter 27.53 RCW
<b>Washington State</b>			
State Environmental Policy Act	EFSEC	Environmental Review/Compliance	WAC 197-11, WAC 463-47; RCW 43.21C.
Stormwater Construction Discharge Permit	WA Department of Ecology	Water Quality	40 CFR 122, 123, and 124, subchapter D; RCW 80.50 and 90.48; et al.
Transportation and Highway Access	WA Department of Transportation	Access from State Highway	Washington Highway Access Management, RCW 47.50; WAC Chapter 468-51 and 468-52
Clean Water Act, Water Quality Certification	WA Department of Ecology	Water Quality	Federal Clean Water Act, Section 401; WAC 173-225
Groundwater Regulations	WA Department of Ecology	Construction and Maintenance of Groundwater Wells	Chapter 90.54 RCW; Chapter 18.104 RCW; Chapter 43.12 RCW; and WAC Chapters 173-160, 173-162
Fish and Wildlife Regulations/HPA Permit (Issued in Conjunction with Corps Nationwide Permit through Joint Aquatic Resources Permit Application)	WA Department of Fish and Wildlife	Classification of Wildlife Species and Construction In or Near State Waters	WAC Chapter 232-12; RCW 75.20.100-160
Electrical Construction Permit	WA Department of Labor and Industries	Installing Electrical Wires and Equipment	WAC Chapter 296-746A
Noise Regulations	Kittitas County (per State standards)	Noise Control and Abatement	RCW 70.107; WAC Chapters 173-58 and 173-60
<b>Kittitas County</b>			
Building Permit	Building Office	Facility Construction	WAC Chapter 51-40; RCW 19.27; Kittitas County Code 14.04
Critical Areas Review/Determination	Planning Office	Resources Protection	Kittitas County Municipal Code, Title 17A (Critical Areas Ordinance)
Kittitas County Comprehensive Plan	Planning Office	Site-Specific Amendment of Comprehensive Plan Land Use Designation Map to Wind Farm Resource Overlay District	Kittitas County Municipal Code, Title 15B.03
Zoning Ordinance	Planning Office	Re-Zone Project Site as Wind Farm Resource Overlay District	Kittitas County Municipal Code, Title 17.98
Uniform Standards for Installation of Buried Cables	Public Works Department	Culvert and Cable Installation	Kittitas County Municipal Code, Title 12.16
Stormwater Management Standards and Guidelines	Public Works Department	Stormwater Management	Kittitas County Code Title 12.70
Sewage Disposal Installation and Design and Septic Tank Cleaning Regulations	Environmental Health Department	Installation and Maintenance of Septic System	Kittitas County Code Title 13.04
County Road Franchise	Public Works Department	Underground Transmission Line	Kittitas County Code Title 12.56
Noxious Weeds	Noxious Weed Control Board	Control of Weeds	RCW 17-10

<sup>1</sup>EFSEC has single permit authority over all Washington State and local permits.