

Hydraulic Project Approvals - Protecting fish and their habitat



Which projects need a Hydraulic Project Approval (HPA)?

Most projects in or near water require an HPA to ensure construction activities protect fish and habitat.

This includes projects that occur above the ordinary high water line, which is the area on a shore (e.g. lake, marine) or bank (e.g. stream, river) where water no longer visibly affects the soil or vegetation. This may be indicated by a change in vegetation type or soil features.

Examples of projects that may occur above the ordinary high water line and require an HPA include, but are not limited to:

- Dikes and levees
- Streambank protection
- Shoreline protection
- Bridges
- Bank reshaping or regrading
- Stream channel creation, relocation, or realignment
- Avulsion/channel migration prevention
- Floodplain/tidal channel fill
- Floodplain (gravel) mining
- Mineral prospecting using methods not already approved under the [Gold and Fish pamphlet](#).

How do I know if my project needs an HPA?

The Washington Department of Fish and Wildlife (WDFW) can help you determine if your project requires an HPA. You have two options to have your project reviewed.

Informal determination

Contact your [local habitat biologist](#). They will review your proposed project with you in person, by phone, or by email to make an informal determination of your permit needs.

Formal determination

Use the [Aquatic Protection Permitting System](#). Complete the pre-application process, which will ask you for:

- A description of your proposed project and its relationship to the ordinary high water line;
- A map showing the location of the project site; and
- Preliminary plans showing the ordinary high water line location, if available.

After you submit a complete pre-application, WDFW provides tribal and local governments seven days to comment on your proposed project. You will receive a formal determination within 21 calendar days.

How can I get help planning my project?

WDFW offers technical assistance to ensure your hydraulic project is designed and constructed in a way that protects fish. You may also contact your [local habitat biologist](#) for guidance on minimizing project impacts, in-water work window restrictions, and potential mitigation.

What is the law?

Washington law requires people planning projects in or near state waters to get an HPA from WDFW, even if you don't think fish are present. WDFW has authority over work above and below the ordinary high water line that will use, divert, obstruct, or change the natural flow or bed of any salt or freshwaters of the state. This includes most marine and fresh waters.

Relevant regulations

[Chapter 77.55 RCW](#) - Construction projects in state waters

[Chapter 220-660 WAC](#) - Hydraulic code rules

[Chapter 77.55.400 RCW](#) - Determination as to whether construction is a hydraulic project—Preapplication determination—Review and comment period—Written determination

Will my project need other permits?

The Governor's Office for Regulatory Innovation and Assistance can help you identify other permits you may need for your project. Learn more at www.oria.wa.gov.

Contact

Find your [local habitat biologist](#).

Persons with disabilities who need this information in an alternative format may contact WDFW's ADA Program Manager at 360-902-2349, TTY (711), or ADAProgram@dfw.wa.gov.

