

Kittitas County CESP Draft EIS

Volume III

Appendices

November 2026



Kimley»Horn

FROM THE CASCADES... TO THE COLUMBIA
KITTITAS COUNTY

FUNDED BY WASHINGTON'S CLIMATE COMMITMENT ACT

List of Appendices

Appendix A: List of Regulations 3
Appendix B: Distribution List 4

The Clean Energy Siting and Permitting CESP-CLEANENERGY25 RFA is supported with funding from Washington's Climate Commitment Act. The CCA supports Washington's climate action efforts by putting cap-and-invest dollars to work reducing climate pollution, creating jobs, and improving public health. Information about the CCA is available at www.climate.wa.gov.

Appendix A: List of Regulations

Kittitas County Clean Energy Siting and Permitting Project

Appendix A: Regulations and Guidelines

Document Information	
Title	Kittitas County CESP EIS Appendix A
Purpose	To outline the federal, state, and local regulations, statutes, guidelines, and plans that may be applicable to the studied energy uses and project-level conditions.
Author	Kimley-Horn
Date	October 2026

Source Information	
Sources	*Link*
Washington State Department of Ecology, Programmatic EIS for Utility-Scale Solar, 2025	https://apps.ecology.wa.gov/publications/SummaryPages/2506002.html
Washington State Department of Ecology, Programmatic EIS for Utility-Scale Wind, 2025	https://apps.ecology.wa.gov/publications/SummaryPages/2506003.html
Washington State Department of Natural Resources, Geothermal Regulatory Framework, 2026	https://dnr.wa.gov/sites/default/files/2025-07/ger_geothermal_regulatory_framework_detail.xlsx

Sheet Information	
Tab	*Description*
1) Regs, Plans, and Guidelines	The first spreadsheet tab provides a list of regulations and plans from the federal, state, and local level. The applicability of each is dependent on the energy facility and characteristics of a given project-level site. The list is meant to capture how different regulations may be applicable across affected environments.
2) Geothermal - Permits	The second spreadsheet tab is unique to geothermal facility permitting. It includes lists of agencies and associated links for what permits may be required as part of the development process. This list was produced by the Washington State Department of Natural Resources and built upon by providing the local links for Kittitas County.

1) Regulations, Plans, Guidelines				
Jurisdictional Level	**Regulations, Statutes, Guidelines**	**Description**	**Affected Environment**	**Link**
State	EFSEC Site Certification Agreement	For future nuclear fission facilities, they would be required to go through state permitting processes for permitting.	All	
Local	Kittitas County Countywide Planning Policies	Provides policies for UGAs, Reduce Sprawl, Transportation, Housing, Economic Development, Property Rights, Permits, Natural-Resource Based Industries, Open Space and Recreation, Environment, Citizen Participation, Public Facilities and Services, Historic Preservation	All	https://www.co.kittitas.wa.us/uploads/documents/bocc/boards/conference-of-governments/ADOPTED%202016%200705%20Kittitas%20Co%20CWPPS%20per%20Ord%202016-013.pdf
Local	Kittitas County Comprehensive Plan	Adopted by the County in compliance with the Washington State Growth Management Act, RCW 36.70A and under authority of the Planning Commission Act, RCW 35.63. This Comprehensive Plan is based on a framework of community goals and policies adopted by the County with the help of the various community groups, agencies, community partners, and other citizens as a final expression of public policy.	All	https://www.co.kittitas.wa.us/cds/comp-plan/default.aspx

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Kittitas County Code	Regulates water and sewer systems, construction, environmental review, permitting, zoning, critical areas, and fire and life safety.	All	https://ecode360.com/KI6857/home
Federal	U.S. Department of Transportation Federal Highway Administration National Scenic Byways and AllAmerican Roads Program	This program designates National Scenic Roads that meet the criteria for at least one of six “intrinsic qualities”: archeological, cultural, historic, natural, recreational, and scenic. The features contributing to the distinctive characteristics of the corridor’s intrinsic quality are recognized throughout the region and are considered regionally significant. Designated All-American Roads meet two of these “intrinsic qualities.”	Aesthetics/Visual Quality	
Federal	Federal Aviation Administration (FAA) Advisory Circular 70/74601M, Obstruction Marking and Lighting	The advisory circular describes FAA’s standards for marking and lighting structures to promote aviation safety. These standards are considered in this analysis relative to impacts attributable to light.	Aesthetics/Visual Quality	
Federal	FAA Interim Policy 78 Federal Register 63276 (regarding glare)	This interim FAA policy provides standards to measuring the ocular (i.e., glare) impact of solar energy systems.	Aesthetics/Visual Quality	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	U.S. Forest Service (USFS) Forest Service Manual 2800 – Chapter 2380: Landscape Management and USFS Handbook 279 Landscape Aesthetics: A Handbook for Scenery Management	Chapter 2380 states that it is USFS policy to: 1. Inventory, evaluate, manage, and, where necessary, restore scenery as a fully integrated part of the ecosystems of National Forest System lands and of the land and resource management and planning process. 2. Employ a systematic, interdisciplinary approach to scenery management to ensure the integrated use of the natural and social sciences and environmental design. 3. Ensure scenery is treated equally with other resources. 4. Apply scenery management principles routinely in all National Forest System activities. USFS's Scenery Management System provides an overall framework for inventory, analysis, and management of scenery on National Forest lands.	Aesthetics/Visual Quality	
Federal	Bureau of Land Management Manual 8400 – Visual Resource Management and associated handbooks and technical standards	The Visual Resource Management program provides a system for inventory, of scenic values, protection of present and future values through land use planning, and management of visual impacts from proposed projects through project planning and visual design principles.	Aesthetics/Visual Quality	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 47.39 Revised Code of Washington, Scenic and Recreational Highway Act of 1967	This legislation establishes the State's Scenic Byway program and standards for eligibility and maintenance of scenic roadways and corridors. These roadways are considered in this analysis as designated scenic resources.	Aesthetics/Visual Quality	
Federal	42 United States Code 7401 et seq., Clean Air Act	The Clean Air Act is the law that defines the U.S. Environmental Protection Agency's (USEPA's) responsibilities for protecting and improving the nation's air quality and the stratospheric ozone layer.	Air Quality & GHGs	
Federal	40 Code of Federal Regulations (CFR) 50, National Ambient Air Quality Standards (NAAQS)	National primary and secondary ambient air quality standards. The primary standards define levels of air quality that USEPA judges are necessary, with an adequate margin of safety, to protect public health. The secondary air quality standards define levels that USEPA judges necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.	Air Quality & GHGs	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	40 CFR 52.21, Prevention of Significant Deterioration (PSD) of Air Quality	If a facility would be a major source of air pollutant emissions, a PSD air permit would be required prior to construction. The Washington State Department of Ecology (Ecology) administers the PSD program in Washington, except for on Tribal lands or for sources under the jurisdiction of the Energy Facility Site Evaluation Council. Although this program is administered by Ecology, it requires coordination with federal partners such as USEPA.	Air Quality & GHGs	
Federal	40 CFR 60, New Source Performance Standards (NSPS)	Federal emissions standards that apply to specific categories of stationary sources. The NSPS represent the minimum level of control that is required on a new or modified source. Generator engines or combustion heating equipment may be subject to the NSPS. Ecology and often local clean air agencies administer the NSPS.	Air Quality & GHGs	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	40 CFR 63, National Emissions Standards for Hazardous Air Pollutants (NESHAP)	Federal emissions standards for hazardous air pollutants from specific source categories. They generally specify the Maximum Achievable Control Technology (MACT) that must be applied for a given source category; therefore, they are also referred to as MACT standards. Generator engines or combustion heating equipment may be subject to NESHAP. Ecology and often local clean air agencies administer the NESHAP.	Air Quality & GHGs	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	40 CFR 98, Mandatory Greenhouse Gas (GHG) Reporting	The Greenhouse Gas Reporting Program (GHGRP) requires reporting of GHG data and other relevant information from large GHG emission sources. A total of 41 categories of emission sources are covered by the GHGRP. Facilities are generally required to submit annual reports under 40 CFR 98 under the following circumstances: 1) direct GHG emissions from covered sources exceed 25,000 metric tons of carbon dioxide equivalents (MT CO2e per year); 2) stationary fuel combustion units at the facility have a combined maximum rated heat input capacity of 30 million British thermal units per hour or greater; or 3) supply of certain products would result in over 25,000 MT CO2e of GHG emissions if those products were released, combusted, or oxidized.	Air Quality & GHGs	
Federal	40 CFR 51(W) and 40 CFR 93, General Conformity Analysis	General Conformity requires that federal agencies not take actions that cause or contribute to violations of ambient air quality standards or interfere with goals outlined in a state or Tribal implementation plan for achieving attainment.	Air Quality & GHGs	
State	Washington Clean Air Act	Air quality protection	Air Quality & GHGs	http://app.leg.wa.gov/RCW/default.aspx?cite=70A.15

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Radioactive Air Emission Licenses to Construct and Operate a New Facility	To assure compliance with the standards for radioactive air emissions set by the Department of Ecology. The Department of Health has been delegated federal authority to issue Radioactive Air Emissions Approvals to Construct and Radioactive Air Emissions Licenses to Operate. The Radioactive Air Emissions Licenses to Operate are included in Air Operating Permits issued by the Department of Ecology.	Air Quality & GHGs	https://www.oria.wa.gov/site/alias__oria/mid__12357/403/handbook-entry?ItemID=120
State	Chapter 70A.15 Revised Code of Washington (RCW), Washington Clean Air Act	This regulation defines Ecology's and local air pollution control agencies' responsibility for protecting and improving air quality in Washington.	Air Quality & GHGs	
State	Chapter 70A.45 RCW, Limiting GHG Emissions	This regulation establishes GHG emission limits and reporting requirements in Washington.	Air Quality & GHGs	
State	Chapter 70A.65 RCW, GHG Emissions	This regulation establishes the cap and invest program in Washington.	Air Quality & GHGs	
State	Chapter 173-400 Washington Administrative Code (WAC), General Regulations for Air Pollution Sources	This chapter establishes technically feasible and reasonably attainable emissions standards and establishes rules generally applicable to the control and/or prevention of the emission of air contaminants.	Air Quality & GHGs	
State	WAC 173-400-040, General Standards for Maximum Emissions	This chapter outlines some general emissions standards that apply to all sources and emissions units.	Air Quality & GHGs	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	WAC 173-400-110, New Source Review for Sources and Portable Sources	A source must apply for and be issued a Notice of Construction (NOC) for sources of air emissions unless exempted. Exemptions are described in the rule. A local clean air agency often implements its own approved version of this program.	Air Quality & GHGs	
State	WAC 173-400-99 through 173.400.105, Registration Program	Many sources of air emissions that do not require an NOC instead require registration. A local clean air agency often implements its own approved version of this program.	Air Quality & GHGs	
State	WAC 173-400-720, PSD	These are the state rules for administering the PSD permitting program. If a facility would be a major source of air pollutant emissions, a PSD air permit would be required prior to construction.	Air Quality & GHGs	
State	Chapter 173-401 WAC, Operating Permit Regulation	Title V major sources require an Air Operating Permit.	Air Quality & GHGs	
State	Chapter 173-460 WAC, Controls for New Sources of Toxic Air Pollutants	Sources of toxic air pollutants must comply with these regulations.	Air Quality & GHGs	
State	Chapter 173-441 WAC, Mandatory GHG Reporting	Facilities with stationary fuel combustion units emitting ≥10,000 MT CO2e per year must report GHG emissions.	Air Quality & GHGs	
State	Chapter 173-446 WAC, Washington Climate Commitment Act	Implements the provisions of the GHG emissions cap and invest program.	Air Quality & GHGs	
State	Chapter 173-444 WAC, Washington Clean Energy Transformation Act (CETA)	Establishes rules that electric utilities shall use to comply with parts of the Washington CETA.	Air Quality & GHGs	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 173-476 WAC, Ambient Air Quality Standards	Establishes maximum acceptable levels in the ambient air for particulate matter, lead, sulfur dioxide, nitrogen oxides, ozone, and carbon monoxide.	Air Quality & GHGs	
State	Chapter 463-62-070 WAC, Construction and Operation Standards for Energy Facilities – Air Quality	States that air emissions from energy facilities shall meet the requirements of applicable state air quality laws and regulations.	Air Quality & GHGs	
State	Chapter 463-78 WAC, General and Operating Permit Regulations for Air Pollution Sources	Establishes maximum permissible air emissions standards and reporting requirements for emissions sources under the jurisdiction of the Washington Energy Facility Site Evaluation Council.	Air Quality & GHGs	
Federal	United States Code (USC) 16.1531 et seq., Endangered Species Act	Provides for the conservation of species listed as threatened or endangered and the habitat upon which they depend. Section 7 requires consultation with USFWS and/or National Oceanic and Atmospheric Administration Fisheries (NOAA Fisheries) when undertaking a federal action to ensure the conservation of any listed animal species and critical habitat so as not to jeopardize the continued existence of any listed species. NOAA Fisheries manages listed marine species while USFWS manages listed terrestrial and freshwater species.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	16 USC 1539, Endangered Species Act	Provides for non-federal entities to obtain a permit for the incidental take of listed species resulting from an otherwise lawful activity, provided they develop and implement a Habitat Conservation Plan that minimizes and mitigates impacts to the species and its habitat. USFWS and/or NOAA Fisheries review and approve the Habitat Conservation Plan and issue the permit. NOAA Fisheries manages listed marine species while USFWS manages listed terrestrial and freshwater species.	Biological Resources	
Federal	16 USC 661, Fish and Wildlife Coordination Act	Requires equal consideration and coordination of wildlife conservation with other water resources development programs and provides authority to USFWS and NOAA Fisheries to evaluate impacts on fish and wildlife from federal actions that result in modifications to waterbodies.	Biological Resources	
Federal	16 USC 668 to 668c, Bald and Golden Eagle Protection Act of 1940, as amended	Prohibits the taking of bald eagles, including their parts, nests, or eggs, without a permit issued by USFWS, and provides criminal penalties for persons who “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.”	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	16 USC 703 to 713, Migratory Bird Treaty Act of 1918, as amended	Makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to federal regulations. Under the regulatory authority of USFWS.	Biological Resources	
Federal	67 Code of Federal Regulations 2343, Magnuson-Stevens Fishery Conservation and Management Act Provisions; Essential Fish Habitat (EFH)	Governs marine fisheries management in U.S. federal waters; federal agencies are required to consult with NOAA Fisheries on activities that may affect EFH.	Biological Resources	
Federal	16 USC 2901 et seq., Fish and Wildlife Conservation Act	The federal Fish and Wildlife Conservation Act of 1980 recognized that previous conservation acts focused on game fish and wildlife for commercial and recreational purposes. This act establishes a precedent for federal agencies to provide states with technical and financial assistance to create conservation plans for nongame fish and wildlife as well as those that are not listed species or marine mammals protected by the Marine Mammal Protection Act of 1972.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	33 USC 1251 et seq., Clean Water Act (CWA)	The federal Water Pollution Control Act of 1948 was the first major U.S. federal law to address water pollution. The law was amended in 1972 and became commonly known as the CWA. The CWA establishes the basic structure for regulating pollutant discharges into waters of the United States and makes it unlawful to discharge any pollutant from a point source into those waters without a permit.	Biological Resources	
Federal	CWA Section 401 Water Quality Certification	Provides states with the authority to ensure that federal agencies do not issue permits or licenses that violate state water quality standards or other protections of the CWA. An applicant for a federal permit must obtain a Section 401 Water Quality Certification from the state in which the activity would occur. The Washington State Department of Ecology (Ecology), U.S. Environmental Protection Agency (USEPA), and some Tribes administer Section 401 of the CWA in Washington.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	16 USC 1271 to 1287, Wild and Scenic Rivers Act, 1968	This act establishes a National Wild and Scenic Rivers System for the protection of rivers that have important scenic, recreational, fish and wildlife, and other resources. The system protects the designated river and an adjacent corridor of land. Wild and scenic river corridors contain both private and public lands. Restrictions associated with the Wild and Scenic Rivers Act apply only to federal lands.	Biological Resources	
Federal	Executive Order 11990, Protection of Wetlands	Provides the overall wetlands policy applicable to all agencies managing federal lands, sponsoring federal projects, or providing federal funds to state or local projects. Requires federal agencies to follow avoidance, mitigation, and preservation procedures and to obtain public input before new construction in wetlands. Consistency with the overall wetlands policy contained in Executive Order 11990 is achieved through CWA Section 404 compliance requirements.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	CWA Section 402 (National Pollutant Discharge Elimination System [NPDES])	Establishes the NPDES program, requiring pollutant discharges to surface waters be authorized by a permit. USEPA issues NPDES permits for federally owned facilities and Tribal lands in Washington. Ecology administers the NPDES permitting program for other facilities and lands in Washington.	Biological Resources	
Federal	CWA Section 404 (Permits for Dredged or Fill Material)	Establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The U.S. Army Corps of Engineers (USACE) issues Section 404 permit decisions.	Biological Resources	
State	Chapter 220-610 Washington Administrative Code (WAC), Washington Department of Fish and Wildlife (WDFW) State and Protected Species; WDFW Priority Habitats and Species	Grants WDFW the responsibility to oversee the listing and recovery of state endangered, threatened, or sensitive species to ensure their survival as free-ranging populations in the state.	Biological Resources	
State	Washington State Wildlife Action Plan	Provides a comprehensive plan for conserving the state's fish and wildlife and its natural habitats as part of the State and Tribal Wildlife Grants Program. Identifies the Species of Greatest Conservation Need. Many species of uncertain conservation need are listed in the Washington State Wildlife Action Plan. Currently being updated to identify Habitats of Greatest Conservation Need.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.58 Revised Code of Washington (RCW), Washington State Shoreline Management Act (SMA)	Establishes a state-local partnership for managing, accessing, and protecting Washington's shorelines. The law requires local governments to prepare locally tailored policies and regulations for managing shoreline use in their jurisdictions called Shoreline Master Programs (SMPs). Local governments review shoreline development proposals for compliance with SMP standards. Applies to shorelines of the state, including marine waters, streams and rivers with greater than 20-cubic-feet-per-second mean annual flow, lakes 20 acres or larger, upland areas extending 200 feet landward from the edge of these waters, biological wetlands and river deltas connected to these water bodies, and some or all of the 100-year floodplain, including all wetlands.	Biological Resources	
State	Chapter 36.70A RCW, Washington State Growth Management Act	Requires all cities and counties in Washington to adopt development regulations, according to the best available science, that protect critical areas as defined in RCW 36.70A.030(5), including fish and wildlife habitat conservation areas.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Title 77 RCW, Fish and Wildlife	Authorizes WDFW to regulate fish, shellfish, and wildlife species in the State of Washington. Includes the following chapters that are relevant to impacts on fish species and habitats: 77.44: Warmwater game fish enhancement program 77.55: Construction projects in state waters 77.57: Fishways, flow, and screening 77.85: Salmon recovery 77.95: Salmon enhancement program 77.105: Recreational salmon and marine fish enhancement program 77.110: Salmon and steelhead trout – Management of resources 77.135: Invasive species	Biological Resources	
State	Chapter 220-640 WAC, Invasive/Non-Native Species	Classifies prohibited and regulated species and regulates the introduction or possession of non-native and invasive aquatic species.	Biological Resources	
State	Chapter 17.10 RCW, Noxious Weeds	Requires owners to eradicate, control, and prevent the spread of noxious weeds within and from their property. Includes the state Noxious Weed List (Class A, B, and C), definitions and descriptions of region boundaries for Class B weeds, and the schedule of monetary penalties.	Biological Resources	
State	Washington Department of Natural Resources (DNR) Natural Heritage Program (advisory)	Assigns conservation status to species and habitats to support federal, state, and local land management policies and listing decisions; has no direct regulatory authority and is advisory only.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	DNR 2006 Policy for Sustainable Forests and 1997 Habitat Conservation Plan	Guides DNR's long-term sustainable management of forested state trust lands.	Biological Resources	
State	Chapter 77.55 RCW; Chapter 220-660 WAC, Washington State Hydraulic Code	Implements Chapter 77.55 RCW (Construction Projects in State Waters), regulating projects that use, divert, obstruct, or change the natural flow or bed of any water of the state. Requires entities who are planning such projects to obtain a Hydraulic Project Approval from WDFW.	Biological Resources	
State	Chapter 90.74 RCW, Aquatic Resource Mitigation	Requires state regulatory agencies to consider mitigation proposals for projects that are designed in a manner to provide equal or better biological functions compared to traditional on-site mitigation proposals.	Biological Resources	
State	Chapter 90.54 RCW, Water Resources Act of 1971	Provides fundamentals of water resource policy for the state to ensure that waters of the state are protected and fully utilized for the greatest benefit to the people of the State of Washington; provides direction to state and local governments in carrying out water and related resources programs.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Title 173 WAC, Department of Ecology	• Chapter 173-201A WAC: Water Quality Standard for Surface Waters of the State of Washington • Chapter 173-204 WAC: Sediment Management Standards • Chapter 173-22 WAC: Adoption of Designations of Shorelands and Wetlands Associated with Shorelines of the State • Chapter 173-226 WAC: Waste Discharge General Permit Program • Chapter 173-500 WAC: Water Resources Management Program Established Pursuant to the Water Resources Act of 1971	Biological Resources	
State	Chapter 76.09 RCW, Washington Forest Practices Act	Forest practices in Washington are regulated by means of the Forest Practices Act. This includes all non-federal and non-Tribal lands within the state. The industry is governed by the Washington Forest Practices Board to protect the state's natural resources, including fisheries and wildlife, and also to maintain a viable timber industry. DNR enforces the rules that are adopted by the board.	Biological Resources	
State	Washington State Executive Order 89-10, Protection of Wetlands	Establishes an interim goal to achieve no overall net loss in acreage and function of Washington's remaining wetlands base and a longterm goal to increase the quantity and quality of Washington's wetlands resource base.	Biological Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.48 RCW, Water Pollution Control Act	The Water Pollution Control Act sets standards to ensure the purity of all waters of the state and to work cooperatively with the federal government where interest overlaps in a joint effort to extinguish the sources of water-quality degradation. Grants Ecology the jurisdiction to control and prevent the pollution of streams, lakes, rivers, ponds, inland waters, salt waters, water courses, and other surface and groundwater in the state, including wetlands. Tool Ecology uses to regulate certain activities in non-federally regulated waters, including wetlands, through the issuance of authorizations to work in waters of the state.	Biological Resources	
Local	Title 17A Critical Areas		Biological Resources	https://ecode360.com/45422154#45422154
Local	Chapter 17A.04 Fish and Wildlife Habitat Conservation Areas	Identify, designate, classify and protect critical fish and wildlife species and habitats, including special consideration to conservation or protection measures necessary to preserve or enhance anadromous species and their habitats, consistent with best available science.	Biological Resources	https://ecode360.com/45422685

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Chapter 17A.07 Wetlands	To maintain the biological and physical functions and values of wetlands with respect to groundwater recharge and discharge, water quality, stormwater and floodwater retention, storage and conveyance, fish and wildlife habitat conservation areas, recreation, and education.	Biological Resources	https://ecode360.com/45422976
Federal	Federal Land Policy and Management Act (43 United States Code [USC] 1701)	Establishes management guidelines on public lands managed by Bureau of Land Management (BLM) and the U.S. Forest Service to protect, develop, and enhance public lands.	Earth Resources	
Federal	Toxic Substances Control Act	Regulates the manufacture, distribution, use, and disposal of chemical substances in the United States. Its primary objective is to ensure that chemicals are safely managed to protect human health and the environment from unreasonable risks of injury.	Earth Resources	
Federal	Clean Water Act (CWA) (33 USC 1251 et seq.)	The Federal Water Pollution Control Act of 1948 was the first major U.S. federal law to address water pollution. The law was amended in 1972 and became commonly known as the CWA. The CWA establishes the basic structure for regulating pollutant discharges into waters of the United States and makes it unlawful to discharge any pollutant from a point source into those waters without a permit.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	CWA Section 401 Water Quality Certification	Provides states with the authority to ensure that federal agencies do not issue permits or licenses that violate state water quality standards or other protections of the CWA. An applicant for a federal permit must obtain a Section 401 Water Quality Certification from the state in which the activity would occur. Washington State Department of Ecology (Ecology), USEPA, and some Tribes administer Section 401 of the CWA in Washington.	Earth Resources	
Federal	CWA Section 402 (National Pollutant Discharge Elimination System [NPDES])	Establishes the NPDES program, requiring pollutant discharges to surface waters be authorized by a permit. USEPA issues NPDES permits for federally owned facilities and Tribal lands in Washington. Ecology administers the NPDES permitting program for other facilities and lands in Washington.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Coastal Zone Management Act (16 USC 1451 et seq.)	The federal consistency provisions of the Coastal Zone Management Act require that federal actions, including federal activities and the issuance of federal licenses and permits, be consistent with the enforceable policies of the Washington Coastal Zone Management Program. This applies to federal actions in Washington's 15 coastal counties that could have reasonably foreseeable impacts on state coastal resources and uses. Administered by Ecology.	Earth Resources	
Federal	BLM 2016 Wind and Solar Rule	Governs the leasing and development of wind and solar energy projects on public lands managed by the BLM. It encourages development in areas with the highest generation potential and fewest resource conflicts through financial incentives. The rule establishes procedures and requirements for obtaining right-ofway grants for wind and solar energy development, including sitespecific environmental assessments and mitigation measures.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Resource Conservation and Recovery Act (RCRA)	This act gives the U.S. Environmental Protection Agency (USEPA) the authority to control hazardous waste from cradle to grave. This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also establishes a framework for the management of non-hazardous solid wastes.	Earth Resources	
State	Geothermal Resources Act	Exploratory and production drilling, drill pads, casing, abandonment	Earth Resources	https://apps.leg.wa.gov/rcw/default.aspx?cite=78.60
State	Geothermal Drilling Rules and Regulations	Exploratory and production drilling, drill pads, casing, abandonment	Earth Resources	https://apps.leg.wa.gov/wac/default.aspx?cite=332-17
State	Chapter 78.44 Revised Code of Washington (RCW), Chapter 332-18 Washington Administrative Code (WAC), Surface Mining Act	Regulatory framework for surface mining activities to minimize their impacts on the environment and communities in Washington. It establishes procedures for permitting, compliance enforcement, and public participation in the regulatory process.	Earth Resources	
State	Chapter 36.70A RCW, Washington State Growth Management Act (GMA)	Land use planning framework aimed at guiding growth and development while preserving natural resource lands, protecting the environment, and enhancing quality of life in Washington. It requires cities and counties to develop and implement comprehensive plans that align with the GMA's goals.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 365-190 WAC, Critical Areas	Establishes guidelines for the protection and management of sensitive environmental areas in Washington. Critical areas include wetlands, fish and wildlife habitat conservations areas, frequently flooded areas, geologically hazardous areas, and critical aquifer recharge areas. The regulations aim to ensure responsible land use planning while safeguarding ecologically sensitive zones.	Earth Resources	
State	Chapter 365-190 WAC, Critical Areas – Section 120, Geologically Hazardous Areas	Pertains to regulations in Washington addressing geological hazards such as landslides, erosion, and seismic activity. It outlines requirements for identifying, mapping, and managing areas prone to geological hazards to ensure public safety and environmental protection during land use and development activities.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.58 RCW, Shoreline Management Act	Establishes a state–local partnership for managing, accessing, and protecting Washington's shorelines. The law requires local governments to prepare locally tailored policies and regulations for managing shoreline use in their jurisdictions called shoreline master programs. Local governments review shoreline development proposals for compliance with shoreline master program standards. Applies to shorelines of the state, including marine waters, streams, and rivers with greater than 20 cubic feet per second mean annual flow, lakes 20 acres or larger, upland areas extending 200 feet landward from the edge of these waters, biological wetlands and river deltas connected to these water bodies, and some or all of the 100-year floodplain, including all wetlands.	Earth Resources	
State	Title 51 WAC, Department of Enterprise Services (Building Code Council)	Adopts and implements state building code and guidelines that establish requirements for building design within zones of certain geologic hazard, including seismic.	Earth Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.48 RCW, Water Pollution Control Act	The Water Pollution Control Act sets standards to ensure the purity of all waters of the state and to work cooperatively with the federal government where interest overlaps in a joint effort to extinguish the sources of water-quality degradation. Grants Ecology the jurisdiction to control and prevent the pollution of streams, lakes, rivers, ponds, inland waters, salt waters, water courses, and other surface and groundwater in the state, including wetlands. Tool Ecology uses to regulate certain activities in non-federally regulated waters, including wetlands, through the issuance of authorizations to work in waters of the state.	Earth Resources	
State	Minimum Standards for Construction and Maintenance of Wells	General requirements for water well construction, resource protection wells, and geotechnical borings	Earth Resources	https://app.leg.wa.gov/wac/default.aspx?dispo=true&cite=173-160&full=true
State	Underground Injection Control Program	Rules for injection wells for which WA has primacy	Earth Resources	https://app.leg.wa.gov/WAC/default.aspx?cite=173-218
Local	Chapter 8.12 Flood and Mudslide Control	Outlines legislative actions for Federal Insurance Administrative needs as it relates to flood and mudslide controls.	Earth Resources	https://ecode360.com/45412480

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Chapter 14.05 Grading	To provide uniform procedures authorizing and regulating grading within the unincorporated area of Kittitas County.	Earth Resources	https://ecode360.com/45415070#45415070
Local	Chapter 17A.06 Geologically Hazardous Areas	Protect human life and safety, prevent damage to structures and property, and minimize impacts to water quality and fish and wildlife caused by geologic hazards.	Earth Resources	https://ecode360.com/45422854
Local	Kittitas County Hazard Mitigation Plan	Identifies activities that can be undertaken by both the public and private sectors to reduce risk to natural hazards, property damage, and economic disruption caused by these hazards.	Earth Resources	https://www.co.kittitas.wa.us/public-works/hazard-mitigation-plan/default.aspx
Federal	Executive Order 12898, Environmental Justice	Directs federal agencies to make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. Executive Order was rescinded as of January 2025.	EJ & Overburdened Communities	
Federal	Executive Order 14096, Revitalizing Our Nation's Commitment to Environmental Justice for All (Justice40)	Requires federal agencies to incorporate environmental justice into their missions and to examine impacts on overburdened community areas. Executive Order was rescinded as of January 2025.	EJ & Overburdened Communities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Title VI of the Civil Rights Act of 1964 (United States Code 42.2000d), as amended by the Civil Rights Restoration Act of 1987	Prohibits discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance.	EJ & Overburdened Communities	
Federal	Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (LEP)	Requires federal agencies to examine the services they provide, identify any need for services to those with LEP, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. Executive Order was rescinded as of January 2025.	EJ & Overburdened Communities	
State	Chapter 70A.02 Revised Code of Washington, Environmental Justice (Healthy Environment for All Act)	Agencies identified in the law must incorporate environmental justice into agency strategic plans and budget development processes, conduct environmental justice assessments, and report on environmental justice implementation.	EJ & Overburdened Communities	
State	Washington State Office of the Chief Information Officer Policy 188	Intended to assist the State of Washington in meeting its obligations under state and federal law to provide reasonable accommodation to employees and provide persons with disabilities an equal opportunity to participate in, and enjoy the benefits of, services, programs, or activities conducted by the state.	EJ & Overburdened Communities	
State	Executive Order 05-03	Directs all state agencies to adopt the principles and practices of Plain Talk (i.e., reader-friendly language).	EJ & Overburdened Communities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 194-40 Washington Administrative Code, Clean Energy Transformation Act	Commits Washington to an electricity supply free of greenhouse gas emissions by 2045 and requires utilities to phase out coal-fired electricity by 2025 and be greenhouse gas emissions neutral by 2030.	Energy & Natural Resources	
State	Chapter 43.21F Revised Code of Washington (RCW), State Energy Office	Requires development of a State Energy Strategy at least once per 8 years. The State Energy Strategy provides estimates of electricity needs in the future.	Energy & Natural Resources	
State	Chapter 70A.535 RCW, Clean Fuels Program	Implements a low carbon fuel standard for vehicle fuels delivered in Washington state.	Energy & Natural Resources	
State	Surface Mine Reclamation requirements (DNR)	Required for extraction of materials such as sand, gravel, or rock from state- or privately owned lands. Required for each surface mine that results in more than 3 acres of disturbed ground, or has a high-wall or disturbance area that meets certain criteria.	Energy & Natural Resources	
State	Electrical Permits (Washington State Department of Labor and Industries)	These permits ensure all electrical installations meet federal and state safety standards.	Energy & Natural Resources	
State	Sand and Gravel General Permit (ECY)	Required for extraction of sand and gravel aggregate materials that have a discharge of process wastewater, stormwater, or mine dewatering water.	Energy & Natural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.48 RCW, Water Pollution Control Act	The Water Pollution Control Act sets standards to ensure the purity of all waters of the state and to work cooperatively with the federal government where interest overlaps in a joint effort to extinguish the sources of water-quality degradation. Grants Ecology the jurisdiction to control and prevent the pollution of streams, lakes, rivers, ponds, inland waters, salt waters, water courses, and other surface and groundwater in the state, including wetlands. Tool Ecology uses to regulate certain activities in non-federally regulated waters, including wetlands, through the issuance of authorizations to work in waters of the state.	Environmental Health & Safety	
Local	Resource Conservation and Recovery Act (RCRA)	This act gives the U.S. Environmental Protection Agency (USEPA) the authority to control hazardous waste from cradle to grave. This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also establishes a framework for the management of non-hazardous solid wastes.	Environmental Health & Safety	
Local	Kittitas County Comprehensive Emergency Management Plan	Establishes local emergency preparedness, response, and recovery responsibilities.	Environmental Health & Safety	https://www.co.kittitas.wa.us/sheriff/cemp/BasicPlan2024final.pdf

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Kittitas County Community Wildfire Protection Program	Guides wildfire preparedness and risk-reduction activities.	Environmental Health & Safety	https://www.co.kittitas.wa.us/cds/firemarshal/20090218-KCWFPP.pdf
Local	Title 8 Health, Welfare, and Sanitation	Includes flood and mudslide control.	Environmental Health & Safety	https://ecode360.com/45412468#45412468
Local	Chapter 9.45 Noise Control		Environmental Health & Safety	https://ecode360.com/45412715
Local	Chapter 20 Fire and Life Safety		Environmental Health & Safety	Title 20: Fire and Life Safety - Kittitas County, WA
Local	Kittitas County Hazard Mitigation Plan	Identifies activities that can be undertaken by both the public and private sectors to reduce risk to natural hazards, property damage, and economic disruption caused by these hazards.	Environmental Health & Safety	https://www.co.kittitas.wa.us/public-works/hazard-mitigation-plan/default.aspx
	Chapter 14.04 Building Code		Environmental Health & Safety	https://ecode360.com/45414929#45414929
Federal	Nuclear Regulatory Commission (NRC) Rules on Facility, Operation, Materials Licensing	NRC authorizes nuclear facilities, materials, and operators. Facility Licensing spans pre-application resources through fuel, non-power, power reactor, design, and environmental licensing. Materials Licensing covers radioactive and byproduct materials licensing. Operator Licensing details the process, regulations, exams, and applications.	Environmental Health & Safety	https://www.nrc.gov/licensing-applications

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Nuclear Regulatory Commission (NRC) Rules on Emergency Planning Zones	Emergency planning zones (EPZs) are a vital component of nuclear power plant emergency preparedness. They provide an extra layer of assurance that the health and safety of the public are protected in the unlikely event of an accident.	Environmental Health & Safety	
Federal	Comprehensive Environmental Response, Compensation, and Liability Act (as amended by the Superfund Amendments Reauthorization Act of 1986 and the Community Environmental Response Facilitation Act of 1992)	Provides a federal “Superfund” to clean up uncontrolled or abandoned hazardous waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment.	Environmental Health & Safety	
Federal	Clean Water Act	Establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.	Environmental Health & Safety	
Federal	Safe Drinking Water Act	Protects public health by regulating the nation’s public drinking water supply.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Emergency Planning and Community Right-to-Know Act	Authorized by Title III of the Superfund Amendments and Reauthorization Act to help communities plan for chemical emergencies. It requires industry to report on the storage, use, and releases of certain chemicals to federal, state,Tribal, territorial, and/or local governments. It also requires these reports to be used to prepare for and protect their communities from potential risks.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Hazardous Materials Transportation Act (HMTA) of 1975	Empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." Hazardous materials regulations are subdivided by function into four basic areas: Procedures and/or Policies 49 Code of Federal Regulations (CFR) Parts 101, 106, and 107. Material Designations 49 CFR Part 172. Packaging Requirements 49 CFR Parts 173, 178, 179, and 180. Operational Rules 49 CFR Parts 171, 173, 174, 175, 176, and 177. The HMTA is enforced by use of compliance orders [49 United States Code (USC) 1808(a)], civil penalties [49 USC 1809(b)], and injunctive relief (49 USC 1810). The HMTA (Section 112, 40 USC 1811) preempts state and local governmental requirements that are inconsistent with the statute, unless that requirement affords an equal or greater level of protection to the public than the HMTA requirement.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and Federal Food, Drug, and Cosmetic Act	FIFRA provides for federal regulation of pesticide distribution, sale, and use. All pesticides distributed or sold in the United States must be registered (licensed) by USEPA. Before USEPA may register a pesticide under FIFRA, the applicant must show, among other things, that using the pesticide according to specifications "will not generally cause unreasonable adverse effects on the environment." FIFRA defines the term "unreasonable adverse effects on the environment" to mean: "(1) any unreasonable risk to man or the environment, taking into account the economic, social, and environmental costs and benefits of the use of any pesticide, or (2) a human dietary risk from residues that result from a use of a pesticide in or on any food inconsistent with the standard under Section 408 of the Federal Food, Drug, and Cosmetic Act."	Environmental Health & Safety	
Federal	49 CFR 173.185, which regulates the transportation of lithium-ion batteries	Regulations on how these types of batteries are classified and packaged.	Environmental Health & Safety	
Federal	49 CFR 173.159, which regulates the transportation of lead-acid batteries	Regulations on how these types of batteries may be packaged and transported.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	29 CFR 1910.269, Electric Power Generation, Transmission, and Distribution standard	This section of the code covers the operation and maintenance of electric power generation, control, transformation, transmission, and distribution lines and equipment.	Environmental Health & Safety	
Federal	Occupational Safety and Health Act of 1970	Ensures employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions.	Environmental Health & Safety	
Federal	2018 International WildlandUrban Interface Code	Establishes regulations to safeguard life and property from the intrusion of wildland fire and to prevent structure fires from spreading to wildland fuels. Regulates defensible space and provides ignition-resistant construction requirements to protect against fire exposure and resist ignition by burning embers. Provides standards for emergency access, water supply, and fire protection. Provides requirements for automatic fire suppression and safe storage practices.	Environmental Health & Safety	
Federal	American National Standards Institute, design standards	Safety standards on construction sites and safe work environments; building and design standards that reduce expenses while raising quality.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	American Society of Mechanical Engineers, design standards	Standards that enhance public safety, health, and quality of life, as well as to facilitate innovation, trade, and competitiveness, including energy storage.	Environmental Health & Safety	
Federal	Institute of Electrical and Electronics Engineering Guide for Substation Fire Protection (979-2012)	Guide developed to identify substation fire protection practices that generally have been accepted by industry.	Environmental Health & Safety	
Federal	International Building Code	Code preserving public health and safety that provides safeguards from hazards associated with the built environment.	Environmental Health & Safety	
Federal	International Fire Code	Establishes minimum requirements for fire prevention and fire protection systems using prescriptive and performance-related provisions.	Environmental Health & Safety	
Federal	National Electric Safety Code	Sets the ground rules and guidelines for practical safeguarding of utility workers and the public during the installation, operation, and maintenance of electric supply, communications lines, and associated equipment.	Environmental Health & Safety	
Federal	National Fire Protection Association (NFPA) Standards (NFPA 1141 Protection for Land Development, NFPA 1144 Reducing Structure Ignition Hazards)	Provides a methodology for assessing wildland fire ignition hazards around existing structures and provides requirements for new construction to reduce the potential of structure ignition from wildland fires.	Environmental Health & Safety	
Federal	National Institute for Occupational Safety and Health	Research, programs, and publications addressing occupational health and safety problems for workers.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	United Facilities Criteria (UFC) for Fire Protection Engineering for Facilities (UFC 3-600-01)	This UFC must be used as the minimum standard for the planning and development of projects and design, construction, and commissioning documentation used for the procurement of facilities. It is the primary fire protection criteria reference document for services provided by architectural and engineering firms and consultants in the development of both design-bid-build and design-build contracts.	Environmental Health & Safety	
Federal	NFPA 855 Standards for Installation of Energy Storage Systems	Applies to facilities with battery energy storage systems.	Environmental Health & Safety	
State	Chapter 70.94 Revised Code of Washington (RCW), Washington Clean Air Act	These regulations secure and maintain levels of air quality that protect human health and safety, including the most sensitive members of the population, to comply with the requirements of the federal Clean Air Act, to prevent injury to plants, animal life, and property; to foster the comfort and convenience of Washington's inhabitants; to promote the economic and social development of the state; and to facilitate the enjoyment of the natural attractions of the state.	Environmental Health & Safety	
State	Chapter 70.95 RCW, Solid Waste Management Act	These regulations establish a comprehensive statewide program for solid waste handling, solid waste recovery, and recycling.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 70.105 RCW, Hazardous Waste Management Act	These regulations establish a comprehensive statewide framework for the planning, regulation, control, and management of hazardous waste.	Environmental Health & Safety	
State	Chapter 70.105D RCW, Model Toxics Control Act (MTCA)	MTCA funds and directs the investigation, cleanup, and prevention of sites that are contaminated by hazardous substances.	Environmental Health & Safety	
State	Chapter 173-340 Washington Administrative Code (WAC), MTCA	These regulations establish administrative processes and standards to identify, investigate, and clean up sites where hazardous substances are located. Chapter 173-340 WAC implements MTCA in Chapter 70A.305 RCW.	Environmental Health & Safety	
State	Chapter 70.107 RCW, Washington State Noise Control Act	These regulations expand statewide efforts directed toward the abatement and control of noise.	Environmental Health & Safety	
State	Chapter 173-60 WAC, Maximum Environmental Noise Levels	These rules establish maximum noise levels and provide use standards relating to the reception of noise.	Environmental Health & Safety	
State	Chapter 173-303 WAC, Dangerous Waste Regulations	These regulations implement Chapter 70.105 RCW and designate policies for dangerous solid waste.	Environmental Health & Safety	
State	Chapter 173-350 WAC, Solid Waste Handling Standards	These regulations set performance standards, functions, priorities, and responsibilities for solid waste.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	WAC 51-54A-8200, International Wildland-Urban Interface Code	The International Wildland-Urban Interface Code sets additional requirements code officials can require for structures and subdivisions located within the wildland-urban interface areas. These include a site plan, vegetation management plan, vicinity plan, fire apparatus access roads, and water supply.	Environmental Health & Safety	
State	Chapter 51-54A WAC, State Building Code Adoption and Amendment of the 2021 Edition of the International Fire Code	These regulations promote the health, safety, and welfare of the occupants or users of buildings through building codes. This includes regulations related to lithium batteries.	Environmental Health & Safety	
State	Chapter 332-24 WAC, Forest Protection	These regulations are related to forest protection including burning permits, outdoor permits, forest debris, felling of snags, and burning plans.	Environmental Health & Safety	
State	Chapter 296-155 WAC, Safety Standards for Construction Work	These standards are minimum safety requirements for construction, alteration, demolition, related inspection, and/or maintenance and repair work performed in the state of Washington.	Environmental Health & Safety	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Antiquities Act of 1906 (54 United States Code [USC] 320301-320303, 18 USC 1866(b))	The Antiquities Act was enacted in 1906 and grants the President the authority to designate national monuments to protect significant natural, cultural, or scientific features. The goal of the act is to preserve public lands and cultural heritage, and it has played an important role in the formation of historic preservation policy. The act establishes a process of creating national monuments and protecting archaeological sites on federal land from looting and vandalism.	Historic & Cultural Resources	
Federal	Preservation of American Antiquities (43 Code of Federal Regulations [CFR] 3)	These are implementing regulations for the Antiquities Act. The regulations establish the permitting process and the treatment of the archaeological objects collected as a result.	Historic & Cultural Resources	
Federal	Archaeological and Historic Preservation Act (Moss-Bennett Act, Archaeological Recovery Act) (54 USC 312501-312508)	The act applies to all federal projects or federally assisted or licensed projects, activities, or programs. The act requires the preservation of significant scientific, precontact, historical, or archaeological data that would be irrevocably lost or destroyed by the activity. Then the federal agency must undertake the recovery, protection, and preservation of the data. This act can extend to private individuals, associations, or public entities if their project receives federal financial assistance.	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Archaeological Resources Protection Act (ARPA) (16 USC 470aa–mm)	Enacted in 1979 to safeguard archaeological resources on public and Indian lands. Key provisions of ARPA emphasize its role in preventing the excavation, removal, or damage of cultural artifacts and archaeological sites. The act creates the requirement for permits for archaeological activities, penalties for violations, and the collaborative efforts between government agencies, Tribes, and the public to protect and preserve archaeological resources. It also establishes the prohibition of public disclosure of sensitive information, specifically the description and location of archaeological sites.	Historic & Cultural Resources	
Federal	Protection of Archaeological Resources (43 CFR 7)	Along with 43 CFR 3, these are the implementing regulations for ARPA. These regulations provide more detail regarding the permitting process, curation of archaeological objects, enforcement, and confidentiality of archaeological information. The regulations also establish the requirement to notify Tribes when a permit issued under the act may harm or destroy Indian Tribal religious or cultural sites on public lands and provides a definition of “sites of religious or cultural importance.”	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	National Historic Preservation Act (NHPA) (54 USC 300101 et seq.)	The NHPA was signed into law on October 15, 1966, for the management and preservation of historical and archaeological sites. This act created the National Register of Historic Places (NRHP), National Historic Landmarks List, State Historic Preservation Office (SHPO), and Tribal Historic Preservation Office (THPO). Washington State's SHPO is the Washington State Department of Archaeology and Historic Preservation (DAHP), which is the state agency that administers NHPA compliance in Washington.	Historic & Cultural Resources	
Federal	NRHP (54 USC 302101302108)	This section of the NHPA establishes the NRHP, the authority to establish procedures for listing in the NRHP, and the right of the owner of the potential property to object to the listing in the NRHP.	Historic & Cultural Resources	
Federal	Section 106 of the NHPA (54 USC 306108)	The procedures for implementing the NHPA are detailed in the Protection of Historic Places regulations. Section 106 of the NHPA requires federal agencies to consider the effects of project undertakings, project approvals, or project funding on historic properties. This process requires consultation with the relevant THPO, Indian Tribes, and Native Hawaiian organizations.	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Section 110 of the NHPA (54 USC 306101-306114)	This section of the NHPA requires each federal agency to assume responsibility for the preservation of historic properties that they own or control. Part of this responsibility is to identify, evaluate, and protect historic properties.	Historic & Cultural Resources	
Federal	36 CFR 60	This section of the regulations establishes the procedural requirements for listing on the NRHP.	Historic & Cultural Resources	
Federal	36 CFR 61	This section of the regulations outlines the procedures and responsibilities for SHPOs, THPOs, and Certified Local Governments. This section also establishes the minimum professional qualifications for archaeology and historic preservation.	Historic & Cultural Resources	
Federal	National Environmental Policy Act (NEPA) (42 USC 4321 et seq.)	NEPA requires that federal agencies assess the environmental impacts of proposed federal actions, including impacts on historic and cultural resources. The NEPA process is often completed alongside Section 106 of the NHPA.	Historic & Cultural Resources	
Federal	American Indian Religious Freedom Act (42 USC 1996)	Establishes the policy to protect and preserve Tribal religions. The act requires that federal agencies managing federal land accommodate access to and ceremonial use of Indian scared sites and avoid adverse effects on the physical integrity of the sites.	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Protection and Enhancement of the Cultural Environment (Executive Order 11593)	The 1971 executive order establishes the policy that federal agencies should administer federal projects in a way that preserves, restores, and maintains historic and cultural resources for future generations.	Historic & Cultural Resources	
Federal	Indian Sacred Sites (Executive Order 13007)	The 1996 executive order directs federal agencies to manage federal lands to accommodate access to and ceremonial use of Indian sacred sites and avoid adverse effects on those sites. The executive order also establishes the importance of maintaining confidentiality of sacred sites.	Historic & Cultural Resources	
Federal	Consultation and Coordination with Indian Tribal Governments (Executive Order 13175)	The 2000 executive order establishes principles for Tribal consultation that include supporting Tribal sovereignty and selfdetermination and interacting on a government-to-government level.	Historic & Cultural Resources	
Federal	Preserve America (Executive Order 13287)	The 2003 executive order advances historic preservation policy by promoting the reuse of historic properties owned by the federal government and promoting intergovernmental cooperation regarding historic preservation.	Historic & Cultural Resources	
State	Chapter 27.53 Revised Code of Washington (RCW), Archaeological Sites and Resources	Relates to the conservation, preservation, and protection of archaeological sites and resources.	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	RCW 27.53.030, Professional Archaeologist Definition	Relates to the procedures of application for and review processes of archaeological excavations and removals; permits are issued by DAHP.	Historic & Cultural Resources	
State	Chapter 25-48 Washington Administrative Code, Archaeological Excavation and Removal Permit	Establishes the procedures for application for and review processes of archaeological excavations and removals; permits are issued by DAHP.	Historic & Cultural Resources	
State	RCW 42.56.300, Archaeological Site Public Disclosure Exemption	This section of the Public Records Act exempts records, maps, or other information identifying the location of archaeological sites and Traditional Cultural Places.	Historic & Cultural Resources	
State	Archaeological and Cultural Resources (Washington State Governor's Executive Order [GEO] 21-02)	Enacted in 2021, GEO 21-02 requires state agencies to consider the impacts of project undertakings, project approvals, or project funding on significant cultural and historic properties. This process requires consultation with DAHP, the Governor's Office of Indian Affairs, and relevant Indian Tribes.	Historic & Cultural Resources	
State	RCW 19.27.120, Washington State Historic Building Code	Establishes the minimum standards for the restoration, rehabilitation, or strengthening of architecturally or historically significant buildings that are eligible or potentially eligible for listing in a historic register.	Historic & Cultural Resources	
State	RCW 27.34.400, Heritage Barn Program	Relates to the preservation of heritage barns 50 years or older.	Historic & Cultural Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 27.44 RCW, Indian Graves and Records	Relates to the protection, management, and processes in the care of Indian Tribe cemeteries, historic graves, and related records.	Historic & Cultural Resources	
State	Chapter 68.50 RCW, Human Remains	Relates to the protection, management, and processes in the care of human remains.	Historic & Cultural Resources	
State	Chapter 68.60 RCW, Abandoned and Historic Cemeteries and Historic Graves	Relates to the preservation and protection of abandoned and historic cemeteries and graves, including human remains.	Historic & Cultural Resources	
State	Chapter 43.376 RCW, Government-to-Government Relationship with Indian Tribes	This chapter establishes a requirement of state agencies to engage in government-to-government relationships with federally recognized Tribes.	Historic & Cultural Resources	
Federal	Federal Aviation Administration (FAA) Interim Policy for Review of Solar Energy System Projects on Federally Obligated Airports (78 Federal Register 63276)	Policy for analyzing ocular (glint or glare) impacts when a solar energy system is proposed on a federally obligated towered airport (i.e., an airport that has accepted federal funding and has an air traffic control tower).	Land Use	
Federal	Farmland Protection Policy Act (7 United States Code [USC] 73)	Requires a land evaluation and site assessment for projects that may irreversibly convert farmland (directly or indirectly) to nonagricultural use and that are completed by a federal agency or with assistance from a federal agency.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Federal Land Policy and Management Act (43 USC 35)	Requires public lands to be managed in a manner that protects scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values while providing for outdoor recreation and human occupancy and use.	Land Use	
Federal	Flood Control Act and National Flood Insurance Act (33 USC 15, 42 USC 50)	Allows property owners in participating communities to purchase flood insurance. Requires participating jurisdictions to implement floodplain management regulations that reduce future flood damage.	Land Use	
Federal	National Forest Management Act (16 USC 1604)	Directs the development, amendment, and revision of land management plans for each national forest to provide for the multiple use and sustained yield of products including outdoor recreation, range, timber, watershed, wildlife and fish, and wilderness.	Land Use	
Federal	National Environmental Policy Act (43 USC 1638)	Requires environmental review for activities involving a federal permit, federal funding, or work on federally owned land.	Land Use	
Federal	Obstruction to Navigation Federal Regulation, Finding of No Hazard to Air Navigation (49 Code of Federal Regulations [CFR] Part 77)	Describes requirements for project developers to notify FAA for activities either on or outside of airport property that meet specific criteria.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Renewable Energy Production on Federal Land (43 USC 48)	Set a goal to authorize production of at least 25 gigawatts of electricity from wind, solar, and geothermal energy projects by not later than 2025 on federal public lands.	Land Use	
Federal	Section 4(f) review (49 USC 303I and 23 CFR 774)	Applies to projects that receive funding from or require approval by an agency of the U.S. Department of Transportation. Projects must demonstrate that there is no prudent and feasible avoidance alternative to the use of and/or adverse impacts to publicly owned parks, recreation areas, and wildlife or waterfowl refuges, or any publicly or privately owned historic site listed or eligible for listing on the National Register of Historic Places.	Land Use	
Federal	U.S. Forest Service Northwest Forest Plan	Addresses activities on 24.5 million acres of federally managed lands in western Oregon, Washington, and northwestern California within the range of the northern spotted owl. Delineates land use categories and an aquatic conservation strategy, each with associated standards and guidelines for management activities.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Forest Practices Rules (Title 222 Washington Administrative Code [WAC]), Forest Practices Act (Chapter 76.09 Revised Code of Washington [RCW]), Stewardship of Non-industrial Forests and Woodlands (Chapter 76.13 RCW)	Establish standards for timber harvesting, pre-commercial thinning, road construction, fertilization, forest chemical application and other forest practices applications.	Land Use	
State	Floodplain Management (Chapter 173-158 WAC, Chapter 86.16 RCW)	Statewide floodplain management regulations. Establishes state requirements that equal the minimum federal requirements for the National Flood Insurance Program, in addition to higher standards. Applies to the planning, construction, operation, and maintenance of any structures or improvements that might affect the flooding regimen of a waterbody.	Land Use	
State	Governor's Executive Order 2102	Requires that all projects receiving capital funding from agencies of the Executive Branch and Small Cabinet must consult with the Washington State Department of Archaeology and Historic Preservation and affected Tribes on their project.	Land Use	
State	Photovoltaic Module Stewardship and Takeback Program (RCW 70A.510.010)	Requires manufacturers of solar photovoltaic modules to provide the public a convenient and environmentally sound way to recycle all modules purchased after July 1, 2017.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	State Environmental Policy Act (Chapter 43.21 RCW)	Requires environmental review for activities proposed or permitted by state or local agency.	Land Use	
State	State land leasing and easement rules (Chapters 79.13 and 79.36 RCW; Chapter 332-22 WAC)	Establishes standards and procedures for state agencies to issue leases or easements on public lands.	Land Use	
State	Washington State Department of Transportation: Utility Lines – Franchises and Permits (Chapter 468-34 WAC)	Requires a utility permit or franchise for facilities proposed within state highway rights-of-way.	Land Use	
State	Washington State Growth Management Act (Chapter 36.70A RCW)	Requires fast-growing cities and counties to develop a comprehensive plan to manage their population growth. Establishes a series of 13 goals that should act as the basis of all comprehensive plans. Requires all cities and counties to designate natural resource lands (forestry, agriculture, fisheries, and mining) and identify steps to preserve them. Requires all cities and counties to adopt critical areas regulations.	Land Use	
State	Washington State Legislature: 2020 greenhouse gas legislation, 2021 State Energy Strategy, 2019 Clean Energy Transformation Act	Commits Washington to an electrical supply free of greenhouse gas emissions by 2045, and to a goal of net zero emissions by 2050. Identifies policies and actions to achieve the state's greenhouse gas emissions and transition to 100% clean energy.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Washington State Shoreline Management Act (Chapter 90.58 RCW) and implementing guidelines (Chapter 173-26 WAC)	Establishes a state-local partnership for managing, accessing, and protecting Washington's shorelines. The law requires local governments to prepare locally tailored policies and regulations for managing shoreline use in their jurisdictions called Shoreline Master Programs (SMPs). Local governments review shoreline development proposals for compliance with SMP standards. Applies to shorelines of the state, including marine waters, streams and rivers with greater than 20 cubic feet per second mean annual flow, lakes 20 acres or larger, upland areas extending 200 feet landward from the edge of these waters, biological wetlands and river deltas connected to these water bodies, and some or all of the 100-year floodplain, including all wetlands.	Land Use	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	U.S. Department of Defense Clearance for Radar Interference (DoD)	This clearance is required for facilities that may interfere with military radar operations, particularly for tall structures near military installations. Wind turbines can cause interference with radar systems because towers and blades reflect electromagnetic radiation. As part of FAA's No Hazard to Air Navigation Approval, FAA notifies other federal agencies with radar assets near the facility, such as DoD, Department of Homeland Security, and NOAA.	Land Use	
State	Written notice to U.S. Department of Defense (DoD) for renewable energy projects (RCW 35.63.270, 35A.63.290, and 36.01.320; WAC 365-16-475)	Requires local governments to provide DoD with written notice for alternative-energy permit applications.	Land Use	
State	Allocation of Revenues Derived from Certain Geothermal Resources	Allocation of revenues from federal geothermal leases	Land Use	https://app.leg.wa.gov/rcw/default.aspx?cite=43.378
State	Forest Practices Act	Regulating timber harvests and forest road building, and conversion permits	Land Use	https://app.leg.wa.gov/rcw/default.aspx?cite=76.09&full=true
State	Forest Practice Rules	Regulating timber harvests and forest road building, and conversion permits	Land Use	https://app.leg.wa.gov/WAC/default.aspx?cite=222-08&full=true

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Easton Subarea Plan	The Easton Subarea Plan (Plan) serves as an actionable document that outlines steps the Easton community can accomplish over the next 20-years to achieve community goals around housing, economic development, services, resiliency, and safety.	Land Use	https://www.kittitascounty2026.com/easton-subarea-plan
Local	Snoqualmie Pass Sub Area Plan	In order to assure the preservation of the scenic beauty, environment and the long success of Snoqualmie Pass as a quality resort and year-round community, the plans of private individuals, large landowners, and public agencies need to be coordinated through an overall plan for the community.	Land Use	https://www.co.kittitas.wa.us/cds/snopac/default.aspx
Local	Chapter 17 Zoning		Land Use	https://ecode360.com/45417096
Local	Zoning Map		Land Use	https://www.co.kittitas.wa.us/uploads/documents/cds/comp-plan/historical/2012/maps/20121004-Zoning-Complete-Compressed.pdf

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Shoreline Master Program	The Washington State Shoreline Management Act (RCW 90.58) and its associated rules (WAC 173-26) require local governments adopt shoreline master programs (SMPs) with policies and regulations that apply to development near shorelines.	Land Use	https://www.co.kittitas.wa.us/cds/smp/default.aspx
Local	Title 20 Airports		Land Use	https://ecode360.com/45426539
Local	Kittitas County Recreation and Tourism Plan (2021)	Outlines the choices that are available, and the means for implementing preferred actions found to be of most benefit to all Kittitas County residents as well as accommodation of year-round tourism pressures.	Land Use	https://www.co.kittitas.wa.us/uploads/documents/bocc/2021%20KC%20Recreation%20and%20Tourism%20Plan.pdf
Federal	Noise Control Act of 1972 (42 United States Code 4910)	Protects the health and welfare of U.S. citizens from the growing risk of noise pollution, primarily from transportation vehicles, machinery, and other commerce products. Increases coordination between federal researchers and noisecontrol activities; establishes noise emissions standards; and presents noise emissions and reduction information to the public.	Noise & Vibration	
Federal	Federal Transit Administration Construction Noise Impact Criteria for General Assessment; Transit Noise and Vibration Impact Assessment Manual (FTA 2018)	This document provides procedures and guidance for analyzing the level of noise and vibration, assessing the resulting impacts, and determining possible mitigation for most federally funded transit projects.	Noise & Vibration	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Washington State Noise Control Act of 1974 (Chapter 70.107 Revised Code of Washington)	This act establishes maximum environmental noise levels. The regulations (Chapter 173-60 Washington Administrative Code) apply to a variety of land uses, activities, and facilities, including general construction activities and maintenance facilities. Exemptions include electrical substations, mobile noise sources, vehicles traveling in public right-of-way, a nd safety warning devices, such as bells. Many cities and counties in Washington have adopted the state provisions.	Noise & Vibration	
Federal	42 United States Code (USC) 6901 et seq., Solid Waste Disposal Act	Applicable to solid waste generated during construction, decommissioning, and operation and maintenance phases.	Public Services & Utilities	
Federal	36 Code of Federal Regulations (CFR) 251, Subpart B, U.S. Department of Agriculture (USDA) U.S. Forest Service (USFS)	Includes USFS-administered lands; the regulation stipulates that various plans, such as emergency action plans and site security plans, be implemented as conditions of approval.	Public Services & Utilities	
Federal	43 USC 1701 et seq., Federal Land Policy and Management Act of 1976	Governs how the Department of the Interior's Bureau of Land Management (BLM) and USFS (under USDA) administer public lands, including grants of rights-of-way for the transmission lines associated with solar and wind facility development. See also the BLM Right-of-Way Regulations (43 CFR 2800).	Public Services & Utilities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	29 CFR 1910.269, Occupational Safety and Health Act	Establishes the Occupational Safety and Health Administration, which regulates worker safety and hazards in the United States. Safe worker practices and training requirements are applicable to solar energy facilities and electrical systems.	Public Services & Utilities	
Federal	Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 USC 6901 et seq.) and the Hazardous Solid Waste Amendments of 1984	The regulations governing hazardous materials influence the destinations and process for solid waste reclamation. Applicable to solid and hazardous waste generated during construction, operation, and decommissioning.	Public Services & Utilities	
Federal	47 USC 303(q) Antenna Tower Lighting and Marking Requirements; 47 CFR 17.21- 17.58, Federal Aviation Administration (FAA) Advisory Circulars	Standards and specifications set forth in FAA advisory documents govern antenna tower lighting and marking requirements, which are mandatory under the Federal Communications Commission (FCC) rules. The FCC requirements for filing with FAA for proposed structures vary based on a number of factors including height, proximity to an airport, location, and frequencies emitted from the structure, etc. Depending on such factors, communication structures associated with the solar energy facilities may be subject to FAA standards.	Public Services & Utilities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	National Electric Code, Article 690 Solar Electric Systems	Governs the safe installation and operation of photovoltaic solar systems, including solar panels, connections, inverters, battery storage, and connection to the grid.	Public Services & Utilities	
Federal	National Electric Code, Article 705, Interconnected Power Systems	Includes requirements that make it easier for first responders to safely and effectively turn off a solar energy system.	Public Services & Utilities	
Federal	National Fire Protection Association 855 S tandards for Installation of Energy Storage Systems	Applies to facilities with co-located battery energy storage system (BESS). Provides the minimum requirements for mitigating the hazards associated with BESS.	Public Services & Utilities	
State	Revised Code of Washington (RCW) 36.70A.070, Washington State Growth Management Act	Requires cities and counties to include a utilities element in their comprehensive plans.	Public Services & Utilities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 51-50, State Building Code adoption and amendment of the 2021 edition of the International Building Code (IBC)	Establishes the Washington State Building Code's adoption of the IBC, which sets standards for commercial construction. This chapter also adopts National Fire Protection Association (NFPA) 70, National Electric Code, which sets national standards for electric, and communications components installed in buildings, structures, and in open-air settings. The IBC has adopted parts of and full standards of NFPA sections including NFPA 241, Standard for Safeguarding Construction, Alteration, and Demolition Operations, which sets construction and demolition fire safety standards.	Public Services & Utilities	
State	Chapter 51-56 Washington Administrative Code (WAC), adoption and amendment of the 2021 edition of the WildlandUrban Interface Code	The International Wildland-Urban Interface Code sets additional requirements code officials can require for structures and subdivisions located within the wildland-urban interface areas. These include a site plan, vegetation management plan, vicinity plan, fire apparatus access roads, and water supply.	Public Services & Utilities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 51-52 WAC, State Building Code adoption and amendment of the 2021 edition of the International Mechanical Code	Establishes the Washington State Building Code's adoption of the International Mechanical Code, which sets standards for mechanical infrastructure in buildings and structures. This chapter also adopts several NFPA standards including NFPA 72 National Fire Alarm and Signaling Code.	Public Services & Utilities	
State	Chapter 51-54A WAC, State Building Code Adoption and Amendment of the 2021 Edition of the International Fire Code	Establishes Washington State's adoption of the International Fire Code (IFC) and also adopts some IFC standards including NFPA 855 Standards for Installation of Energy Storage Systems relevant to BESS installation. Washington State provides amendments to each iteration of the IFC. The current Washington State amendments to the 2021 IFC have been effective since March 15, 2024. The IFC sets standards for fire preparedness and safety.	Public Services & Utilities	
State	RCW 70A.510, Photovoltaic Module Stewardship and Takeback Program	Applicable to recycling and disposal of photovoltaic modules and decommissioning of solar energy facilities.	Public Services & Utilities	
State	WAC 173-303-573, Standards for universal waste management	Applicable for lithium-ion battery disposal.	Public Services & Utilities	
State	RCW 70.95.010 et seq., Solid Waste Management – Reduction and Recycling	Applicable mostly to decommissioning of solar and wind energy facilities.	Public Services & Utilities	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	RCW 70.105.005 et seq., Hazardous Waste Management	Applies to storage, handling, transportation, use, and disposal of hazardous materials associated with the facilities.	Public Services & Utilities	
State	RCW 70.118.010 et seq., On-site Sewage Disposal System	Applies to potential septic systems (as applicable) that may be proposed as part of a facility.	Public Services & Utilities	
State	RCW 80.28.440, Wildfire mitigation plan—Review/revision	Requires wildfire mitigation plan for investor-owned utilities.	Public Services & Utilities	
Local	Kittitas County Solid Waste Management Plan	Guides waste collection, recycling, transfer, and disposal.	Public Services & Utilities	https://www.co.kittitas.wa.us/solid-waste/documents/kittitas-county-solid-waste-management-plan.pdf
Local	Title 13 Water and Sewers		Public Services & Utilities	https://ecode360.com/45414377
Local	Chapter 14.04 Building Code		Public Services & Utilities	https://ecode360.com/45414929#45414929
Local	Chapter 17.61 Utilities		Public Services & Utilities	https://ecode360.com/45418499
Local	Chapter 17.61A WIND FARM RESOURCE OVERLAY ZONE		Public Services & Utilities	https://ecode360.com/45418560
Local	Chapter 17.61C SOLAR POWER PRODUCTION FACILITIES		Public Services & Utilities	https://ecode360.com/45418645

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Kittitas County Capital Improvement Program	Identifies planned investments in County facilities and infrastructure.	Public Services & Utilities	
Federal	Wilderness Act, 1964	The Wilderness Act created the National Wilderness Preservation System and provides the highest level of conservation protection of federal lands. The purpose of the act is to manage wilderness areas to preserve and, where possible, to restore their wilderness character. Wilderness areas are defined as “outstanding opportunities for solitude or a primitive unconfined type of recreation.”	Recreation Resources	
Federal	National Wilderness Preservation System (43 Code of Federal Regulations 19)	Designates more than 111 million acres of protected wilderness areas in the United States for enjoyment of the public.	Recreation Resources	
Federal	Wild and Scenic Rivers Act, 1968 (16 United States Code 1271-1287)	This act establishes a National Wild and Scenic Rivers System for the protection of rivers that have important scenic, recreational, fish and wildlife, and other resources. The system protects the designated river and an adjacent corridor of land. Wild and scenic river corridors contain both private and public lands. Restrictions associated with the Wild and Scenic River Act apply to only federal lands.	Recreation Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	National Recreation Areas (Federal Executive Branch Policy, March 26, 1963)	A Federal Executive Branch Policy that establishes National Recreation Areas with the purpose "to fulfill adequately the steeply mounting outdoor recreation demands of the American people." National Recreation Areas are established by acts of Congress. Private lands are not included in National Recreation Areas and are not bound by National Recreation Area rules.	Recreation Resources	
Federal	National Forest Management Act, 1976	The National Forest Management Act requires every national forest or grassland managed by the U.S. Forest Service (USFS) to develop and maintain a Land Management Plan (also known as a Forest Plan).	Recreation Resources	
Federal	Federal Land Policy and Management Act of 1976	Establishes management guidelines on public lands to protect, develop, and enhance public lands.	Recreation Resources	
Federal	Forest and Range Renewable Resource Planning Act of 1974	A long-range planning policy to protect, enhance, and develop renewable resources on forest and range lands managed by USFS. The Resource Planning Act requires a renewable resources assessment that reports on the status, trends, and projected future uses of the nation's renewable resources on forest and range lands to occur every 10 years. This assessment looks at the condition of various resources including outdoor recreation.	Recreation Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Executive Order 12962, Recreational Fisheries	Mandates federal agencies, to the extent permitted by law and where practical, to improve the “quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities.”	Recreation Resources	
Federal	Reclamation Manual (Bureau of Reclamation 2024a)	Consists of policies, directives, and standards utilized by the Bureau of Reclamation. The policies, directives, and standards with the manual assign program responsibilities with the Bureau of Reclamation and serve to document how the bureau operates. The manual contains several directives and standards that relate to recreational activities on Reclamation Lands.	Recreation Resources	
Federal	National Wildlife Refuge System Administration Act	Provides the U.S. Fish and Wildlife Service with guidelines, directives, and the authority to improve the National Wildlife Refuge System. The Act defines wildlife compatible recreational opportunities including hunting, fishing, wildlife observation, and photography.	Recreation Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Washington State Recreation and Conservation Plan, 2023 (RCO 2023)	Provides a strategic direction for how local, regional, state, and federal agencies, Tribal governments, and private and non-profit partners can work together to make sure Washington residents' outdoor recreation and conservation needs are being met. This plan is updated with new data and findings every few years.	Recreation Resources	
State	Washington State Shoreline Management Act (Chapter 90.58 Revised Code of Washington [RCW])	Establishes a state-local partnership for managing, accessing, and protecting Washington's shorelines. The law requires local governments to prepare locally tailored policies and regulations for managing shoreline use in their jurisdictions called Shoreline Master Programs (SMPs). Local governments review shoreline development proposals for compliance with SMP standards. Applies to shorelines of the state, including marine waters, streams and rivers with greater than 20-cubic-feet-per-second mean annual flow, lakes 20 acres or larger, upland areas extending 200 feet landward from the edge of these waters, biological wetlands and river deltas connected to these water bodies, and some or all of the 100-year floodplain, including all wetlands.	Recreation Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Washington Forest Practices Act (Chapter 76.09 RCW)	Forest practices in Washington are regulated by means of the Forest Practices Act. This includes all non-federal and nonTribal lands within the state. The industry is governed by the Washington Forest Practices Board to protect the state's public resources, but also to maintain a viable timber industry. The Washington Department of Natural Resources enforces the rules that are adopted by the Board.	Recreation Resources	
State	Forest Practices Habitat Conservation Plan (DNR 2024a)	Covers lands that are subject to the Forest Practices Act with goals to protect and provide long-term conservation for several salmonid species and other aquatic- and riparian-dependent species and keep the timber harvest industry economically viable.	Recreation Resources	
State	Title 220 Washington Administrative Code (WAC), Washington Department of Fish and Wildlife (WDFW)	Identifies WDFW's responsibility to preserve, protect, perpetuate, and manage the state's fish and wildlife species.	Recreation Resources	
State	RCW 77.04.012, Mandate of Department and Commission	Identifies WDFW's responsibility to conserve the wildlife and food fish, game fish, and shellfish resources in a manner that does not impair the resource.	Recreation Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Regional	Economic Development Strategic Plan	A comprehensive strategic plan to guide economic development efforts in the region.	Socioeconomic	https://www.ellensburgwa.gov/DocumentCenter/View/19473/Kittitas_County_Economic_Development_Strategic_Plan
Local	Kittitas County Tourism Strategic Plan (2025)	Provide direction as Kittitas County identifies and creates tourism- related policies, programs, and products, manages the environment and infrastructure, and makes investments in current and future tourism assets that serve both residents and visitors.	Socioeconomic	https://www.co.kittitas.wa.us/uploads/auditor/accounting/lodging-tax/Kittitas%20County%20Tourism%20Strategic%20Plan_2025.pdf
Local	Kittitas County Recreation and Tourism Plan (2021)	Outlines the choices that are available, and the means for implementing preferred actions found to be of most benefit to all Kittitas County residents as well as accommodation of year-round tourism pressures.	Socioeconomic	https://www.co.kittitas.wa.us/uploads/documents/bocc/2021%20KC%20Recreation%20and%20Tourism%20Plan.pdf
Federal	Determination of No Hazard to Air Navigation, Form 7460-1 Notice of Proposed Construction or Alteration (FAA)	Required if the facility could affect navigable airspace. This approval ensures that the facility does not pose a hazard to air navigation, which is critical for tall structures.	Transportation	
Federal	49 Code of Federal Regulations (CFR) 77, Federal Aviation Administration (FAA) Obstruction to Navigation Federal Regulation	Requires FAA approval of any facility higher than 200 feet (61 meters) in height.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	49 United States Code 5101 et seq., Hazardous Materials Transportation Act	Empowered the Secretary of Transportation to designate as hazardous material any "particular quantity or form" of a material that "may pose an unreasonable risk to health and safety or property." Title 49 regulations pertain to all forms of surface transportation and transportation security, including pipelines, railroads (passenger and freight), waterways, cars, etc. Hazardous material or hazardous waste handlers, shippers, carriers, or freight forwarders must comply with Title 49 regulations, which cover requirements for markings, labels, placards, shipping papers, training, emergency response, and performance-oriented packaging standards.	Transportation	
Federal	Fixing America's Surface Transportation Act	Established a new National Highway Freight Network, which requires states to improve the safety, security, efficiency, and resiliency of freight transportation in rural and urban areas.	Transportation	
Federal	Metropolitan Transportation Planning and Programming, 23 CFR 450.306	Requires metropolitan planning processes including projects, strategies, and services to address productivity, safety, security, mobility, resiliency, and other environmental and mobility goals.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Federal Highway Administration (FHWA) Office of Infrastructure Interstate System Access Informational Guide (FHWA 2010)	Provides background on how the Washington State Department of Transportation (WSDOT) assesses requests for new or modified access to the Interstate System. Provides information and methods for analyzing access requests by considering the needs of the system on a national, state, and local levels.	Transportation	
Federal	FHWA Final Rule to 23 CFR 625, Design Standards for Highways	Modifies regulations governing new construction, reconstruction, resurfacing, restoration, and rehabilitation projects on the National Highway System (including the Interstate System).	Transportation	
Federal	14 CFR 77 Safe, Efficient Use, and Preservation of the Navigable Airspace	Establishes: 1) requirements to provide notice to FAA of certain proposed construction or alteration of structures; 2) standards used to determine obstructions to air navigation, and navigational and communication facilities; 3) the process for aeronautical studies of obstructions to air navigation or navigational facilities; and 4) the process to petition FAA for discretionary review of determinations, revisions, and extensions of determinations.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Federal Land Policy and Management Act of 1976, As Amended, Title VI Rights-of-Way	Authorizes the granting of rights-of-way for facilities on federally managed lands, such as systems for generation, transmission, and distribution of electric energy, and roads and highways. Requires the entity applying for right-of-way access to submit a plan of construction, operation, and rehabilitation for such right-of-way in compliance with the applicable federal agency's regulations.	Transportation	
Federal	Federal agency road design manuals and handbooks	Describes steps, guidelines, and requirements for designing roads on federally managed lands. Each agency maintains its own guidelines and standards.	Transportation	
Federal	Federal-Aid Highway Act of 1944	Created the Interstate System.	Transportation	
Federal	Federal-Aid Highway Act of 1956	Established the program for funding and building the Interstate System.	Transportation	
Federal	Roadless Rule of 2001	Establishes prohibitions on road construction, road reconstruction, and timber harvesting on inventoried roadless areas on National Forest System lands. The intent of the Roadless Rule is to provide lasting protection for inventoried roadless areas within the National Forest System in the context of multiple-use management.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 47.06 Revised Code of Washington (RCW), Washington State System Plans: Highway, Freight, Aviation, Marine, and Public Transportation	Ensures that the transportation system in Washington supports and enhances the movement of people and goods; addresses federal and state policies and meets federal and state planning requirements (WSDOT 2016, 2017a, 2017b, 2022a). Includes RCW 47.06.050 related to state-owned facilities and RCW 47.06.040, the statewide multimodal transportation plan.	Transportation	
State	WSDOT Draft 2024 Highway System Plan (WSDOT 2024a)	Implements RCW 47.06.040 and ensures that the highway system in Washington supports and enhances the movement of people and goods; addresses federal and state policies and meets federal and state planning requirements.	Transportation	
State	Washington Statewide Transportation Improvement Program (STIP; WSDOT 2024b)	The STIP is a 4-year prioritized multimodal transportation program including state, local, Tribal, and public transportation projects involving highways, streets, roads, rail, transit-hubs, park and rides, bridges, sidewalks, bike lanes, trails, and safety. It is developed annually, submitted to FHWA and Federal Transit Administration in December, and approved in January.	Transportation	
State	Forest Practices Act, Chapter 76.09 RCW, and Forest Practices Rules, Title 222 Washington Administrative Code (WAC)	The Washington Department of Natural Resources administers rules that govern forest practices activities on non-federal and non-Tribal forestland in Washington state.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Guidelines for Forest Roads, Section 3 (DNR 2013)	Provides guidance related to forest practices and Forest Roads.	Transportation	
State	Transportation System Policy Goals, RCW 47.04.280	Contains six transportation system policy goals, including the maintenance, preservation, and extension of the life and utility of prior investments in transportation systems and services and the predictable movement of goods and people throughout Washington state, including congestion relief and improved freight mobility.	Transportation	
State	Water Quality Standards for Surface Water (Chapter 173201A WAC)	Establishes water quality standards for surface waters, implementing Title 90 RCW (Chapter 90.48 RCW, Water Pollution Control Act). Freshwater designated uses and associated criteria are specifically identified in WAC 173-201A-200. Applicable to proposed new or improved roads and associated runoff.	Transportation	
State	Guide for Planning, Evaluating, and Designing Part-Time Shoulder Use as a Traffic Management Strategy (FHWA 2016)	Describes planning, design, implementation, and day-to-day operation of shoulder use. Part-time shoulder use is the conversion of shoulders to travel lanes during some hours of day as a congestion relief strategy.	Transportation	
State	Overweight/Oversize Permits	Special motor vehicle permit regulations and conditions are required for oversize/overweight loads, including when curfew hours, escort requirements, or nighttime movements are necessary.	Transportation	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Written notice to U.S. Department of Defense (DoD) for renewable energy projects (RCW 35.63.270, 35A.63.290, and 36.01.320; WAC 365-16-475)	Requires local governments to provide DoD with written notice for alternative-energy permit applications.	Transportation	
Local	Kittitas County Transportation Element 2018	20-Year Transportation Plan	Transportation	https://www.co.kittitas.wa.us/uploads/documents/public-works/construction/2020-20-Year-Transportation-Plan.pdf
Local	Title 10 Vehicles and Traffic		Transportation	https://ecode360.com/45412912
Local	Title 12 Roads and Bridges		Transportation	https://ecode360.com/45413184
Federal	Treaties, executive orders, and legislation acknowledging federally recognized Tribes	Treaties, executive orders, and legislation pertaining to Tribes within Washington State variably acknowledge homelands, set aside reservation lands, and reserved fishing, gathering, and hunting rights for the signatory Tribes throughout their areas. Note: Federal guidance (Working Group 2022) urges consulting agencies to interpret treaty rights as they would have been understood by the signatories.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	American Indian Religious Freedom Act of 1978 (42 United States Code [USC] 1996)	Establishes that the policy of the federal government is to accommodate access to and ceremonial use of Indian sacred sites and avoid adverse effects on the physical integrity of the sites.	Tribal Rights, Interests, and Resources	
Federal	Antiquities Act of 1906 (54 USC 320301–320303, 18 USC 1866(b))	The Antiquities Act was enacted in 1906 and grants the President the authority to designate national monuments to protect significant natural, cultural, or scientific features. The goal of the act is to preserve public lands and cultural heritage, and it has played an important role in the formation of historic preservation policy. The act establishes a process of creating national monuments and protecting archaeological sites on federal land from looting and vandalism.	Tribal Rights, Interests, and Resources	
Federal	Archaeological and Historic Preservation Act of 1974 (MossBennett Act, Archaeological Recovery Act; 16 USC 469–469c-2)	The act applies to all federal projects or federally assisted or licensed projects, activities, or programs. The act requires the preservation of significant scientific, prehistorical, historical, or archaeological data that would be irrevocably lost or destroyed by the activity. Then the federal agency must undertake the recovery, protection, and preservation of the data. This act can extend to private individuals, associations, or public entities if their project receives federal financial assistance.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Archaeological Resources Protection Act of 1979 (ARPA; 16 USC 470aa–470mm)	Enacted in 1979 to safeguard archaeological resources on public and Indian lands. Key provisions of ARPA emphasize its role in preventing the excavation, removal, or damage of cultural artifacts and archaeological sites. The act creates the requirement for permits for archaeological activities, penalties for violations, and the collaborative efforts between government agencies, Tribes, and the public to protect and preserve archaeological resources. It also establishes the prohibition of public disclosure of sensitive information, specifically the description and location of archaeological sites.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Confidentiality of archaeological resources information (1984; 36 Code of Federal Regulations [CFR] 296.18)	Establishes that the federal land manager shall not make information concerning the nature of any archaeological resource available to the public except (1) when the disclosure will further the purposes of the ARPA without risking harm to the archaeological resource or site location and (2) when the state governor has submitted a written request of information to the federal land manager concerning archaeological resources within the governor's state that is specific to the archaeological resource or resource area and includes the purpose for the information sought and written commitment to adequately protect the confidentiality of the information.	Tribal Rights, Interests, and Resources	
Federal	Endangered Species Act of 1973 (ESA; 16 USC 1531 et seq.)	Requires Tribal consultation with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration (NOAA) Fisheries when undertaking a federal action to ensure the conservation of any ESA-listed animal species and critical habitat so as not to jeopardize the continued existence of any listed species. NOAA Fisheries manages ESA-listed marine and anadromous species, while USFWS manages listed terrestrial and freshwater species.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Executive Order 11593, Protection and Enhancement of the Cultural Environment (1971)	The 1971 executive order establishes that the federal government provides leadership in preserving, restoring, and maintaining the historic and cultural environment and the cultural heritage of the nation's past for the benefit of future generations.	Tribal Rights, Interests, and Resources	
Federal	Executive Order 13007, Indian Sacred Sites (1996)	The 1996 executive order directs federal agencies to manage federal lands to accommodate access to and ceremonial use of Indian sacred sites and avoid adverse effects on those sites. The executive order also establishes the importance of maintaining confidentiality of sacred sites.	Tribal Rights, Interests, and Resources	
Federal	Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (2000)	The 2000 executive order establishes principles for Tribal consultation that include supporting Tribal sovereignty and self-determination and interacting on a government-togovernment level.	Tribal Rights, Interests, and Resources	
Federal	Historic Sites Act of 1935 (49 Stat. 666, 16 USC 461–467)	Establishes a national policy to preserve nationally significant historic sites, buildings, and objects for the use and benefit of the people of the United States.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	National Historic Preservation Act (NHPA; 54 USC 300101 et seq.)	The NHPA was approved on October 15, 1966, for the management and preservation of historical and archaeological sites. This act created the National Register of Historic Places (NRHP), National Historic Landmarks List, State Historic Preservation Office (SHPO), and Tribal Historic Preservation Office (THPO). Washington state's SHPO is the Department of Archaeology and Historic Preservation (DAHP), which is the state agency that administers NHPA compliance in Washington.	Tribal Rights, Interests, and Resources	
Federal	Native American Graves Protection and Repatriation Act of 1990 (NAGPRA; 25 USC 3001)	Enacted on November 16, 1990, NAGPRA establishes rights for lineal descendants, Native Americans and Tribes, and Native Hawaiian organizations to repatriate their culturally affiliated items, including human remains, associated and unassociated funerary objects, sacred objects, and objects of cultural patrimony. NAGPRA includes provisions for unclaimed and culturally unidentifiable Native American cultural items and the intentional and inadvertent discovery of Native American cultural items on federal and Tribal lands only.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Section 106 (54 USC 306108) and Section 101 (54 USC 302706) of the NHPA, 36 CFR 800, and National Register Bulletin 38, Guidelines for Identifying and Documenting Traditional Cultural Properties	Establishes the NRHP. Section 106 requires that federal agencies consider the potential effects of undertakings on cultural resources, including archaeological sites, and historic sites. Section 101 and Bulletin 38 specify that properties of traditional religious and cultural importance to Indian Tribes or Native Hawaiian organizations may also be eligible for listing in the NRHP.	Tribal Rights, Interests, and Resources	
Federal	United States v. Washington, 384 F. Supp. 312 (W.D. Wash. 1974)	Commonly known as the Boldt Decision, the federal district court in this case interpreted the rights of federally recognized Tribes and Tribal members to take fish in the "usual and accustomed places in common with all citizens" to mean that federally recognized Tribes have a treaty-reserved right to harvest 50% of the harvestable portion of fish.	Tribal Rights, Interests, and Resources	
Federal	Washington v. Washington State, Commercial Passenger Fishing Vessel Association, 443 U.S. 658 (1979)	In this decision, the U.S. Supreme Court upheld the 1974 Boldt Decision.	Tribal Rights, Interests, and Resources	
Federal	36 CFR 61, Procedures for State, Tribal, and Local Government Historic Preservation Programs (1999)	This section of the regulations outlines the procedures and responsibilities for SHPOs, THPOs, and Certified Local Governments. This section also establishes the minimum professional qualifications for archaeology and historic preservation.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	16 USC 470hh(a), Confidentiality of Information Concerning Nature and Location of Archaeological Resources (2014)	Provision of the ARPA that prohibits public disclosure of sensitive information specific to the nature and location of archaeological resources.	Tribal Rights, Interests, and Resources	
State	Centennial Accord Between the Federally Recognized Tribes in Washington and the State of Washington (and Implementation Plan)	Establishes that Washington State and Tribes consult on a government-to-government basis. Outlines ideals and goals for improvements in economic opportunity, communication, and other areas. Provides guidelines for consultation.	Tribal Rights, Interests, and Resources	
State	Chapter 27.44 Revised Code of Washington (RCW), Indian Graves and Records	Concerns procedures and management of Indian cemeteries and remains.	Tribal Rights, Interests, and Resources	
State	RCW 42.56.300, Public Disclosure Exemptions	Exempts site records, maps, and portions of reports from public disclosure. Concerns archaeological resources and "Traditional Cultural Places," analogous to Traditional Cultural Properties or properties of traditional religious and cultural importance to Indian Tribes or Native Hawaiian organizations.	Tribal Rights, Interests, and Resources	
State	Governor's Executive Order 21-02, Archaeological and Cultural Resources (2021)	Requires consideration of potential effects to cultural resources by projects approved, undertaken, and funded by state agencies. This process requires consultation with DAHP, the Governor's Office of Indian Affairs, and affected Tribes.	Tribal Rights, Interests, and Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Governor's Executive Order 83-16, Governor's Office of Indian Affairs (1983)	Reaffirms the state's responsibility toward federally recognized Tribes in Washington to encourage and strengthen Tribal governments and formalize a state-Tribal relationship based on government-to-government interaction.	Tribal Rights, Interests, and Resources	
Local	Chapter 3.46, Current Use Open Space Land Program and Public Benefit Ranking System	Encourage the maintenance, preservation, conservation, and otherwise continue in existence adequate open space lands for the production of food and fiber and to assure the use and enjoyment of natural resource and scenic beauty for the economic and social well-being of the citizens of Kittitas County. Further, the Ordinance is so designed as to permit the continued availability of open space lands through the adoption of a benefit rating system and a potential reduction in assessed value for lands that qualify.	Visual Quality	https://ecode360.com/45410917#45410918
	12.14.02.180 Aesthetic/scenic considerations	Utility installations near roadside	Visual Quality	https://ecode360.com/45414114?&searchId=1466341986523 9304#45414114

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	Safe Drinking Water Act, 42 (United States Code [USC] 300 et seq., Chapter 6A)	Principal federal law protecting drinking water for the public. Requires states to develop source water assessment programs. Authorizes U.S. Environmental Protection Agency (USEPA) administration of the Sole Source Aquifer Protection Program.	Water Resources	
Federal	National Flood Insurance Act of 1968 and Flood Disaster Protection Act of 1973 (42 USC 4001 et seq.)	Establishes insurance requirements within high-risk flood areas.	Water Resources	
Federal	Clean Water Act (CWA) (33 USC 1251 et seq.)	The Federal Water Pollution Control Act of 1948 was the first major U.S. federal law to address water pollution. The law was amended in 1972 and became commonly known as the CWA. The CWA establishes the basic structure for regulating pollutant discharges into waters of the United States and makes it unlawful to discharge any pollutant from a point source into those waters without a permit.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	CWA Section 401 Water Quality Certification	Provides states with the authority to ensure that federal agencies do not issue permits or licenses that violate state water quality standards or other protections of the CWA. An applicant for a federal permit must obtain a Section 401 Water Quality Certification from the state in which the activity would occur. Washington State Department of Ecology (Ecology), USEPA, and some Tribes administer Section 401 of the CWA in Washington.	Water Resources	
Federal	CWA Section 303(d) (Impaired Waters and Total Maximum Daily Loads)	Section 303(d) requires states to identify waters that do not meet or are not expected to meet water quality standards. Total Maximum Daily Loads are developed and are then prioritized on the 303(d) list. Administered by Ecology in Washington.	Water Resources	
Federal	Rivers and Harbors Act of 1899 (33 USC 403)	Requires USACE Section 10 authorization for the construction of any structure in or over any navigable water of the United States.	Water Resources	
Federal	Presidential Executive Order 11988, Floodplain Management	Requires avoidance, as feasible, of federal development and other activities within the 100-year floodplain.	Water Resources	
Federal	Federal Water Quality Criteria Applicable to Washington (40 Code of Federal Regulations 131.45)	Establishes water quality standards for Washington; used during administration of the CWA. Includes human health criteria for priority toxic pollutants in surface waters in Washington.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Federal	CWA Section 402 (National Pollutant Discharge Elimination System [NPDES])	Establishes the NPDES program, requiring pollutant discharges to surface waters be authorized by a permit. USEPA issues NPDES permits for federally owned facilities and Tribal lands in Washington. Ecology administers the NPDES permitting program for other facilities and lands in Washington.	Water Resources	
Federal	CWA Section 404 (Permits for Dredged or Fill Material)	Establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. The U.S. Army Corps of Engineers (USACE) issues Section 404 permit decisions.	Water Resources	
Federal	Executive Order 11990, Protection of Wetlands	Provides the overall wetlands policy applicable to all agencies managing federal lands, sponsoring federal projects, or providing federal funds to state or local projects. Requires federal agencies to follow avoidance, mitigation, and preservation procedures and to obtain public input before new construction in wetlands. Consistency with the overall wetlands policy contained in Executive Order 11990 is achieved through CWA Section 404 compliance requirements.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Minimum Standards for Construction and Maintenance of Wells	General requirements for water well construction, resource protection wells, and geotechnical borings	Water Resources	https://app.leg.wa.gov/wac/default.aspx?dispo=true&cite=173-160&full=true
State	Underground Injection Control Program	Rules for injection wells for which WA has primacy	Water Resources	https://app.leg.wa.gov/WAC/default.aspx?cite=173-218
State	Notice of Intent to Construct or Decommission a Well	Required for all drilling activities including deepening, alteration, reconstruction, or decommissioning of a well.	Water Resources	
State	Water Well Construction	Construction or decommissioning of water wells	Water Resources	https://app.leg.wa.gov/rcw/default.aspx?cite=18.104&full=true
State	Water Resources Act of 1971	Water resource protection	Water Resources	http://app.leg.wa.gov/RCW/default.aspx?cite=90.54
State	Water Pollution Control	Water pollution control	Water Resources	https://app.leg.wa.gov/RCW/default.aspx?cite=90.48&full=true
State	National Pollutant Discharge Elimination System	ECY's implementation of National Pollutant Discharge Elimination System rules for permitting watewater discharge	Water Resources	https://app.leg.wa.gov/wac/default.aspx?cite=173-221A-030
State	Water Rights--Registration--waiver and relinquishment, etc.	Water rights claims and uses for groundwater and surface waters	Water Resources	https://app.leg.wa.gov/rcw/default.aspx?cite=90.14&full=true

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Reclaimed water use	Use or discharge of reclaimed water	Water Resources	https://app.leg.wa.gov/RCW/default.aspx?cite=90.46&full=true
State	Reclaimed water	Rules of enforcement of reclaimed water permits	Water Resources	https://app.leg.wa.gov/wac/default.aspx?cite=173-219&full=true
State	Construction Projects in State Waters	Includes approvals for hydraulic projects	Water Resources	https://app.leg.wa.gov/rcw/default.aspx?cite=77.55&full=true
State	Energy Facilities--Site Locations	Point source discharge permitting	Water Resources	https://app.leg.wa.gov/RCW/default.aspx?cite=80.50&full=true
State	Water Quality Standards for Surface Water (Chapter 173-201A Washington Administrative Code [WAC])	Establishes water quality standards for surface water, implementing Title 90 Revised Code of Washington (RCW; Chapter 90.48 RCW – Water Pollution Control Act).	Water Resources	
State	Water Quality Standards for Groundwater (Chapter 173-200 WAC)	Establishes water quality standards for groundwaters, implementing Title 90 RCW including Chapters 90.48 (Water Pollution Control Act) and 90.54 RCW (Water Resources Act of 1971).	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	NPDES Permit Program (Chapter 173-220 WAC)	Establishes a state individual permit program, applicable to the discharge of pollutants and other wastes and materials to the surface waters of the state, operating under state law as a part of the NPDES created by Section 402 of the CWA. Permits issued under this chapter are designed to satisfy the requirements for discharge permits under both Section 402(b) of the CWA and Chapter 90.48 RCW.	Water Resources	
State	Water Rights (Chapter 173-152 WAC)	Establishes the framework for Ecology's performance of basin assessments and processing of water rights applications, implementing Title 90 laws including Chapters 90.03 (Water Code) and 90.82 RCW (Watershed Planning).	Water Resources	
State	Water Rights-Environment (Title 90 RCW)	Contains many laws covering subjects including water rights, claims registration, minimum streamflows, water pollution control, shoreline management, and aquatic resources mitigation.	Water Resources	
State	Washington State Hydraulic Code (Construction Projects in State Waters) (Chapter 77.55 RCW, Chapter 220.660 WAC)	Requires a permit for any facility that will use, divert, obstruct, or change the natural flow or bed of any waters of the state. Requires entities who are planning such projects to obtain a Hydraulic Project Approval from Washington Department of Fish and Wildlife.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Floodplain Management (Chapter 173-158 WAC)	Implements Title 86 RCW (Chapter 86.16 RCW – Floodplain Management). Directs floodplain management and compliance with minimum requirements of the National Flood Insurance Program (NFIP).	Water Resources	
State	Administration of Surface and Groundwater Codes (Chapter 508-12 WAC)	Establish regulations for Ecology's administration of surface water and groundwater codes, including regulation of water rights diversions, surface water and groundwater appropriation procedures, and reservoir permits.	Water Resources	
State	Growth Management Act (Title 36 RCW)	Requires local governments to manage growth by identifying and protecting critical areas and natural resource lands, among other measures.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.48 RCW, Water Pollution Control Act	The Water Pollution Control Act sets standards to ensure the purity of all waters of the state and to work cooperatively with the federal government where interest overlaps in a joint effort to extinguish the sources of water quality degradation. Grants Ecology the jurisdiction to control and prevent the pollution of streams, lakes, rivers, ponds, inland waters, salt waters, water courses, and other surface and groundwater in the state, including wetlands. Tool Ecology uses to regulate certain activities in non-federally regulated w aters, including wetlands, through the issuance of authorizations to work in waters of the state.	Water Resources	
State	Washington State Executive Order 89-10, Protection of Wetlands	Establishes statewide goals to achieve no overall net loss in function and acreage of wetlands and to increase the quantity and quality of Washington's wetlands.	Water Resources	

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
State	Chapter 90.58 RCW, Washington State Shoreline Management Act	Establishes a state-local partnership for managing, accessing, and protecting Washington's shorelines. The law requires local governments to prepare locally tailored policies and regulations for managing shoreline use in their jurisdictions called Shoreline Master Programs (SMPs). Local governments review shoreline development proposals for compliance with SMP standards. Applies to shorelines of the state, including marine waters, streams and rivers with greater than 20 cubic feet per second mean annual flow, lakes 20 acres or larger, upland areas extending 200 feet landward from the edge of these waters, biological wetlands and river deltas connected to these waterbodies, and some or all of the 100-year floodplain, including all wetlands.	Water Resources	
Local	Chapter 17A.03 Critical Aquifer Recharge Areas (CARAs)	Protect critical aquifer recharge areas from degradation resulting from alterations and development. It is the intent of this chapter to safeguard groundwater resources against contaminants from alterations and development.	Water Resources	https://ecode360.com/45422641

Jurisdictional Level	Regulations, Statutes, Guidelines	Description	Affected Environment	Link
Local	Chapter 17A.05 Frequently Flooded Areas	Reduce the risk to life, property damage, and public facilities that result from floods; mitigate flood hazards that may be exasperated by climate change; and to protect fish and wildlife habitat conservation areas that occur wholly or partially within frequently flooded areas.	Water Resources	https://ecode360.com/45422810
Local	Title 17B Shorelines		Water Resources	https://ecode360.com/45423610
Local	Flood Control Zone District		Water Resources	https://www.co.kittitas.wa.us/uploads/bocc/resolutions/2012-081-resolution.pdf
Local	Kittitas County Hazard Mitigation Plan	Identifies activities that can be undertaken by both the public and private sectors to reduce risk to natural hazards, property damage, and economic disruption caused by these hazards.	Water Resources	https://www.co.kittitas.wa.us/public-works/hazard-mitigation-plan/default.aspx

2) Geothermal Permitting			
Agency	**Permits/Regulated Activities**	**Agency Webpage**	**Additional Detail**
Washington Department of Natural Resources (DNR)	Drilling permits (exploratory and production drilling)	https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals/rules-regulations-and-forms	DNR issues two types of drilling permits: 1) exploratory borehole for temperature-gradient measurements/testing <750 ft. No public meeting requirements; 2) production hole, >750 ft deep.
	Well Decommissioning	https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals/rules-regulations-and-forms	
	Well/Drill Pad Reclamation	https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals/rules-regulations-and-forms	DNR would take the role of SEPA lead for well drilling, and should a power plant be planned after that, SEPA lead would transfer to EFSEC.
	Forest Roads	https://www.dnr.wa.gov/programs-and-services/forest-practices/forest-practices-application-review-system-fpars	

Agency	Permits/Regulated Activities	Agency Webpage	Additional Detail
	Forest Practices Application	https://www.dnr.wa.gov/programs-and-services/forest-practices/forest-practices-application-review-system-fpars	Depending on which county the project is located, the conversion permit would come from either the County or DNR. But a Class IV Conversion permit would be required. If the land is not planned to be converted (maybe for exploration), but still needs tree removal and forest roads, then a Class III or Class IV FPA would be required through DNR.
	SEPA	https://www.dnr.wa.gov/state-environmental-policy-act-sepa	
Washington State Department of Labor and Industries (L&I)	Worker Safety	https://lni.wa.gov/safety-health/safety-rules/index?query=&filter=all&page=1&index=Safety_Rules	Washington Industrial Safety and Health Act (WISHA)
Washington State Department of Ecology (ECY)	Notice of Intent (NOI) to drill a well	https://ecology.wa.gov/regulations-permits/reporting-requirements/well-construction-notice-of-intent	NOI note: Responsible party is required to file a Notice of Intent (NOI) with Ecology prior to drilling a well. This is usually done by a licensed well driller. This step (i.e. filing a NOI with Ecology), if not for exempt permit water uses, is done AFTER a water right application has been filed.

Agency	Permits/Regulated Activities	Agency Webpage	Additional Detail
	Class V Underground Injection Control Wells	https://ecology.wa.gov/regulations-permits/guidance-technical-assistance/underground-injection-control-program	
	Water Quality Permits	https://ecology.wa.gov/water-shorelines/water-quality/water-quality-permits	
	Water Rights Permit	https://ecology.wa.gov/water-shorelines/water-supply/water-rights	
	Air Permits	https://ecology.wa.gov/regulations-permits/permits-certifications/air-quality-permits	
	Reclaimed Water Permit	https://ecology.wa.gov/water-shorelines/water-quality/reclaimed-water#permit	
	Clean Water Act Section 401 Water Quality Certification	https://ecology.wa.gov/Regulations-Permits/Permits-certifications/401-Water-quality-certification	

Agency	Permits/Regulated Activities	Agency Webpage	Additional Detail
	Authorizations to work in Waters of the State	https://ecology.wa.gov/water-shorelines/wetlands/regulations/state-wetland-regulations	
Local Clean Air Agencies	Air permits	https://ecology.wa.gov/about-us/accountability-transparency/partnerships-committees/clean-air-agencies	
Washington Department of Fish and Wildlife (DFW)	Hydraulic project approval	https://wdfw.wa.gov/licenses/environmental/hpa	Hydraulic projects in or near state waters are required to get a Hydraulic Project Approval (HPA). This includes most marine and fresh waters.
Energy Facility Site Evaluation Council (EFSEC)	Power Plant Plan Certification		A geothermal developer may need an Energy Facility Siting certification from EFSEC to begin construction of a new energy facility site. Developers of “alternative energy resource facilities" may choose to receive certification from EFSEC, but it is not required. EFSEC may become SEPA lead agency if power production is intended.
Local jurisdictions (Kittitas County)	Land Use and Zoning	https://ecode360.com/45417096	

Agency	Permits/Regulated Activities	Agency Webpage	Additional Detail
	Grading Permits	https://ecode360.com/45415070#45415070	
	Building Permits	https://ecode360.com/45414929#45414929	
	Shoreline Master Programs	https://ecode360.com/45414929#45414929	
	Critical Areas Ordinances	https://ecode360.com/45414929#45414929	
	Noise Ordinances	https://ecode360.com/45414929#45414929	
Federal	Federal Permits		On federal lands, BLM manages geothermal leases and issues permits (geothermal drilling permit, geothermal exploration permit, facility construction permits, commercial use permit) on behalf of other federal land managers. (https://www.ecfr.gov/current/title-43/subtitle-B/chapter-II/subchapter-C/part-3200)If a geothermal project involves co-located geologic carbon sequestration (Class VI), then EPA has primacy.
	National Environmental Policy Act		
	National Historic Preservation Act		
	Endangered Species Act		
	Clean Water Act		
	Federal Energy Regulatory Commission Review		

This table is adapted from the geothermal regulatory framework provided by the Washington State Department of Natural Resources through the work on the geothermal collaborative process.

Appendix B: Distribution List

Distribution List

Tribes

Yakama Nation

Confederation Tribes of the Colville Reservation

Snoqualmie Tribe

Federal Agencies

Federal Communications Commission

Bureau of Reclamation

Northwest Power and Conservation

Forest Service

Army Corps of Engineers

Northwest Training Range Complex

Yakima Training Center

Bureau of Land Management

USDA United States Department of Agriculture

State Agencies

Washington State Department of Ecology

Washington State Department of Fish and Wildlife (WDFW)

- Solar & Wind Projects

Washington State Department of Natural Resources

- Southeast Region

Washington State Department of Health

Washington State Energy Facility Site Evaluation Council (EFSEC)

Washington State Parks

Washington State Department of Transportation

Local Jurisdictions and Agencies

County Departments

Kittitas County Environmental Health

Kittitas County Department of Public Works

Kittitas County Department of Public Health

Kittitas County Noxious Weed Control Board

Kittitas County Sheriff's Department

Kittitas County Board of County Commissioners

Kittitas County Code Enforcement

Kittitas County Solid Waste Programs

Kittitas County Building Department

Kittitas County Assessor

KittCom

Cities

City of Roslyn

City of Cle Elum

City of Kittitas

City of Ellensburg

Town of South Cle Elum

Fire Districts and Fire Departments

Kittitas County Fire District #1

Kittitas Valley Fire & Rescue (District 2)

Kittitas County Fire District #3 (Easton)

Kittitas County Fire District #4 (Vantage)

Kittitas County Fire District #51 (Snoqualmie Pass)

Kittitas County Fire District #6 (Lake Cle Elum)

Kittitas County Fire District #8 (Kachess)

Kittitas Fire District #7

Cle Elum Fire Department

Roslyn Fire Department

South Cle Elum Fire Department

Kittitas County Fire Marshal

Irrigation Districts

Ronald Water

Kittitas Reclamation District

Cascade Irrigation District

West Side Irrigating Company

Ellensburg Water Company

Bull Canal Company

Packwood Canal

Mill Ditch Company

Other Agencies

James E Brooks Library

Kittitas County Chamber of Commerce

Kittitas Valley Healthcare

Education

Central Washington University

Cle Elum - Roslyn School District 404

Damman School District 6

Easton School District 28

Ellensburg School District 401

Kittitas School District 403

Thorp School District 400

Utilities

Bonneville Power Administration

Puget Sound Energy

Kittitas Public Utility District

Northwest Power and Conservation

Snoqualmie Pass Utility District

Interest Groups

Agricultural Groups

Kittitas County Farm Bureau

Cattleman's Association

Kittitas County Conservation District

Environmental Groups

Forterra

Kittitas Audubon

Kittitas Conservation Trust

Washington Resource Conservation and Development Council

Kittitas County Field and Stream

Mountain to Sound Greenway

Other Groups

Futurewise

Parties of Record

Judy Hallisey

Andrew Sadowski

Brent Renfrow

Barry Brunson

Susan Kaspari

Philip Friend

Frederick Padjen

Patt Kelleher

Hope Beeler

Joan Bennett

Erin Sinclair

Sean West

Jenn Crane

Frank Curtin

Michelle Denton

Judy Hallisey

Barry Brunson

Sherree Friend

Philip Friend

T Bush

D Dick

Adam Riffle

Teo Bicchieri

Mitch Melin

Laura Honhart

Grant Lee

Heidi Wilson

Arianna Logson

Carryn Vande Griend

Dawn Perron

George Hansen

Sherry Guntner

Mark Rud

Dallas Barron

Vincent Pruis

Frana Milan

Mary J Foucault

Hope Mason

Brett Gibson

Adam Ganz

Wendy Sumn

Ally Schuefer

Kathy Sample

Aaron Peterson

Hilary Lampard

Tina Greene

Leigh Ann

Patricia Blumenthal

Olsen Ditch C/O Pat Taylor