AMENDATORY SECTION (Amending WSR 01-12-042, filed 5/30/01, effective 7/1/01)

WAC 222-34-040 Site preparation and rehabilitation. *(1) Heavy equipment. Heavy equipment shall not be used in connection with site preparation or rehabilitation work:

(a) When, because of soil moisture conditions or the type of soils, undue compaction or unnecessary damage to soil productivity would occur or erosion would result in damage to water quality; or

(b) Within riparian management zones, Type A and B Wetlands, wetland management zones, or within equipment limitation zones of Type Np and Ns Waters on slopes of ((~~30~~)) thirty percent or less. On slopes greater than ((~~30~~)) thirty percent heavy equipment shall not operate within ((~~50~~)) fifty feet of Type S through Ns Waters unless a site specific plan has been approved by the department.

*(2) Surface water drainage. Where site preparation or rehabilitation involves contouring or terracing of slopes, drainage ditches, or similar work:

(a) The gradient of ditches or other artificial water courses in erodible soils shall not cause significant stream, lake, pond, or wetland siltation.

(b) Ditches and other artificial water courses shall not discharge onto any road, landing or fill.

(c) Ditches and other artificial water courses shall not be constructed to discharge onto the property of other parties without their consent.

*(3) Stream channel realignment. Where work involves deepening, widening, straightening or relocating the channel; or bulkheading, riprapping or otherwise stabilizing the banks of a Type S or F Water, ((~~a hydraulic project approval is always required, and~~)) the work shall be done only:

(a) In conformance with chapter 220-110 WAC;

(b) After consultation with any party having an appropriation permit or registered right to appropriate waters from the affected stream segment in cases of streams used for domestic water supplies((~~.~~));

((~~(b)~~)) (c) Where no significant adverse effects on either the peak or minimum water levels or flows downstream can be expected((~~.~~)); and

((~~(c)~~)) (d) In a manner not expected to result in long-term damage to public resources or to adjacent or downstream property.

(NOTE: OTHER LAWS AND RULES AND/OR PERMIT REQUIREMENTS MAY APPLY. SEE CHAPTER 222-50 WAC.)