

**WAC 220-660-440 Utility crossings in saltwater areas.** (1) **Description:** Utility crossings are cables and pipelines that transport gas, telecommunications, fiber optics, power, sewer, oil, or water underneath water bodies. An HPA is not required for utility crossings attached to bridge structures.

(2) **Fish life concerns:** Utility crossings pose a risk to fish life and habitat that supports fish life because of potential changes to substrates, destabilization of marine shoreline and distributary channels, loss of riparian vegetation zone, and loss of aquatic vegetation. Trenching through banks and beaches alters habitat that supports fish life, substrate characteristics, and therefore the productivity of the nearshore zone.

(3) **Utility crossing design:** The design and location of utility crossings must follow the mitigation sequence to protect saltwater habitats of special concern.

(4) **Utility crossing construction:**

(a) Excavate and install cables, sewer lines, and other utilities using equipment and techniques that minimize adverse impacts to fish life and the habitat that supports fish life.

(b) The department will require a seagrass/macroalgae habitat survey for new construction unless the department can determine the project will not impact seagrass and kelp beds, and in herring spawning beds, other macroalgae used as spawning substrate. A survey is not required to replace an existing structure within its original footprint.

(c) If a preconstruction seagrass/macroalgae habitat survey was performed, reestablish the utility line centerline during construction using the same methodology used to establish the centerline during the seagrass/macroalgae habitat survey.

(d) A person must not excavate trenches within the beach area when tidal waters cover the work area. The department may allow stockpiling of sand, gravel, and other coarse material waterward of the OHWL. Place this material within the designated work corridor waterward of the OHWL. Remove all excavated or stockpiled material from the beach within seventy-two hours of the end of construction.

(e) Do not stockpile excavated materials containing silt, clay, or fine-grained soil or bed material waterward of the OHWL.

(f) Backfill all construction-related trenches, depressions, or holes that are waterward of the OHWL before they are filled by tidal waters.

[Statutory Authority: RCW 77.04.012, 77.04.020, and 77.12.047. WSR 15-02-029 (Order 14-353), § 220-660-440, filed 12/30/14, effective 7/1/15.]