

**Chapter 173-15 WAC**  
**PERMITS FOR OIL OR NATURAL GAS EXPLORATION ACTIVITIES CONDUCTED FROM**  
**STATE MARINE WATERS**

Last Update: 7/28/00

**WAC**

173-15-010 Authority and purpose.  
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**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER**

173-15-040 Penalties. [Statutory Authority: RCW 90.58.550, 90.58.560 and 1983 c 138. WSR 84-01-028 (Order DE 83-35), § 173-15-040, filed 12/12/83.] Repealed by WSR 87-16-101 (Order DE 87-09), filed 8/5/87. Statutory Authority: RCW 90.58.200.

**WAC 173-15-010 Authority and purpose.** These rules are adopted under RCW 90.58.550(6) for the purpose of establishing the basic requirements for the exploration activity permit system.

[Statutory Authority: RCW 90.58.550(6). WSR 00-16-080 (Order 00-12), § 173-15-010, filed 7/28/00, effective 8/28/00. Statutory Authority: RCW 90.58.550, 90.58.560 and 1983 c 138. WSR 84-01-028 (Order DE 83-35), § 173-15-010, filed 12/12/83.]

**WAC 173-15-020 Definitions.** The following definitions apply:

- (1) "Department" means the department of ecology.
- (2) "Exploration activity" means reconnaissance or survey work related to gathering information about geologic features and formations underlying or adjacent to marine waters. Those activities include sonic, ultrasonic, seismic, sparker, side-scan sonar, infrared, heat sensor, chemical analysis (sniffer), or other remote sensing techniques that do not disturb the surface of the aquatic lands, as well as drilling, core sampling, or other exploratory techniques that penetrate the beds underlying or adjacent to marine waters.
- (3) "Marine waters" includes the waters of Puget Sound north to the Canadian border, the waters of the Strait of Juan de Fuca, the waters between the western boundary of the state and the ordinary high water mark, and related bays and estuaries. RCW 90.58.550 (1)(b).
- (4) "Normal public use of the marine waters of the state" means those activities generally enjoyed by members of the public including, but not limited to, recreation, fishing (commercial and sports), navigation and commerce.
- (5) "Vessel" includes ships, boats, barges, or any other floating craft. RCW 90.58.550 (1)(c).
- (6) "Director" means the director of the department of ecology.
- (7) "Person" means any individual, public or private corporation, agency, or other entity, except for state or federal agencies.

[Statutory Authority: RCW 90.58.550(6). WSR 00-16-080 (Order 00-12), § 173-15-020, filed 7/28/00, effective 8/28/00. Statutory Authority: RCW 90.58.550, 90.58.560 and 1983 c 138. WSR 84-01-028 (Order DE 83-35), § 173-15-020, filed 12/12/83.]

**WAC 173-15-030 Exploration activity permit system.** The permit system established by RCW 90.58.550 is as follows:

- (1) Applicability.

(a) A person who desires to perform oil or natural gas exploration activities by vessel located on or within marine waters of the state shall first obtain a permit from the department.

(b) An exploration activity permit obtained under (a) of this subsection is the sole permit a person is required to obtain for exploration activity under chapter 90.58 RCW.

(c) Except as provided in (b) of this subsection, nothing in this chapter may modify any powers of local governments set forth in chapter 90.58 RCW.

(2) Exploration activity permit application.

(a) Applications for an exploration activity permit must be supplied by the department.

(b) Applications must be filed with the Shorelands and Environmental Assistance Program, Department of Ecology, P.O. Box 47600, Olympia, WA 98504-7600.

(c) No application may be processed until it is deemed complete by the department.

(d) Each application for an exploration activity permit must be accompanied by a completed environmental checklist as provided in Title 197 WAC.

(3) Processing of complete application.

(a) A complete application will be forwarded to state natural resource management agencies and local governments and Indian tribes affected by the proposed exploration activity.

(b) Comments will be requested regarding the proposed exploration activity and its compatibility with the criteria established under RCW 90.58.550(2). Normally, reviewing agencies will be allowed fifteen days from receipt of the application, as provided by the department, in which to submit comments to the department.

(4) Public notice.

(a) Upon receipt of a completed application, the department shall instruct the applicant to publish a notice of the proposed exploration activity.

(b) Notices of the proposed exploration activity must be published in the newspaper of the largest general circulation within each of the counties in which the activity is proposed.

(c) Any person wishing to express views on the proposed exploration activity will be given fifteen days to comment to the department.

(d) All notices of applications for exploration activity permits shall contain, as a minimum, the information called for in the following form:

Notice of Application for  
Exploration Activity Permit

Notice is hereby given that \_\_\_\_\_ (company name or institution) has filed an application for an exploration activity permit for oil and/or natural gas survey and reconnaissance work in \_\_\_\_\_ (list major bodies of water)

The exploration activity consists of \_\_\_\_\_ (describe survey gear, vessel, and other equipment in sufficient detail to inform public of the nature of the operation)

The exploration activity is proposed to begin on \_\_\_\_\_ (date) and end \_\_\_\_\_ (date).

Any person desiring to express views or to be notified of the action taken on this application should notify the department of ecology in writing of his or her interest within fifteen days of the final date of publication of this notice, which is \_\_\_\_\_ (date). Written comments should be mailed or delivered to the Washington Department of Ecology, Shorelands and Environmental Assistance Program, P.O. Box



the procedures established in chapter 43.21B RCW and its implementing rules.

[Statutory Authority: RCW 90.58.550(6). WSR 00-16-080 (Order 00-12), § 173-15-030, filed 7/28/00, effective 8/28/00. Statutory Authority: RCW 90.58.550, 90.58.560 and 1983 c 138. WSR 84-01-028 (Order DE 83-35), § 173-15-030, filed 12/12/83.]