

WAC 25-48-100 Terms and conditions of permits. (1) In all permits issued, the department shall specify:

(a) The nature and extent of work allowed and required under the permit, including the time, duration, scope, location, and purpose of the work;

(b) The name of the individual(s) responsible for conducting the work and, if different, the name of the individual(s) responsible for carrying out the terms and conditions of the permit.

(c) The name of any university, museum, repository, or other scientific or educational institutions in which any collected materials and data shall be deposited.

(d) Reporting documentation requirements and site restoration and mitigation requirements.

(2) The department may specify such terms and conditions as deemed necessary, consistent with this chapter, to:

(a) Protect the public interest in the conservation, preservation, and protection of the state's archaeological resources, and the knowledge to be derived and gained from the scientific study of these resources;

(b) Protect the public safety and other values and/or resources;

(c) Secure work areas, safeguard other legitimate land uses, and limit activities incidental to work authorized under the permit.

(3) The department may require evidence of sufficient bonding to cover cost of site restoration.

(4) The department may specify such terms and conditions as deemed necessary that are recommended by persons commenting within the comment period provided in WAC 25-48-080.

(5) The department may include in any permit such terms and conditions as requested by a concerned or affected Indian tribe.

(6) Initiation of work or other activities under the authority of a permit signifies the permittee's acceptance of the terms and conditions of the permit.

(7) The permittee shall not be released from requirements of a permit until all outstanding obligations have been satisfied, whether or not the term of the permit has expired.

(8) The permittee may request that the department extend or modify a permit. Such a request will require compliance with all the provisions of this chapter.

(9) The permittee's performance under any permit issued for a period greater than one year shall be subject to review by the department, at least annually.

(10) If at any time the department determines the terms and conditions of the permit are inadequate to provide the protections addressed under subsections (2) and (3) of this section, the department may add, amend, or delete the terms and conditions of the permit.

[Statutory Authority: RCW 27.34.220, 27.53.140, 43.21C.120. WSR 06-06-001, § 25-48-100, filed 2/15/06, effective 3/18/06. Statutory Authority: RCW 27.34.220 and 27.44.020. WSR 90-01-091, § 25-48-100, filed 12/19/89, effective 1/19/90. Statutory Authority: RCW 27.53.030, [27.53.]060, [27.53.]080 and 1988 c 124 §§ 1, 3, 5, 6 and 7. WSR 88-23-004 (Order 88-06), § 25-48-100, filed 11/4/88. Statutory Authority: RCW 27.34.220 and 27.44.020. WSR 86-13-001 (Order 11), § 25-48-100, filed 6/5/86.]