SEPA Guide for
Project Applicants

STATE
ENVIRONMENTAL
POLICY ACT

Protecting Air, Land, Water, People

WASHINGTON STATE
DEPARTMENT OF
ECOLOGY

Abstract: This volume is intended to provide guidance to applicants whose project proposals must undergo environmental review under the State Environmental Policy Act (SEPA). The Guide has been expanded to include assistance on completing an environmental checklist.

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Glossary of SEPA Terminology

Categorical exemptions: Part 9 of the SEPA Rules describes types of projects that have been exempted from SEPA requirements because they are unlikely to have a significant adverse environmental impact or were designated exempt by the legislature.

Determination of nonsignificance (DNS): A DNS is issued by the SEPA lead agency after they have determined that a proposal is unlikely to have a significant adverse environmental impact or that all adverse impacts can be "mitigated" to a nonsignificant level.

Determination of significance (DS): A DS is issued by the SEPA lead agency after they have determined that a proposal is likely to have one or more significant adverse environmental impacts that should be evaluated in an environmental impact statement (EIS).

DNS: see "determination of nonsignificance"

DS: see "determination of significance"

EIS: see "environmental impact statement"

Environmental checklist: A form that asks questions about various aspects of a proposal and that is evaluated by the SEPA "lead agency" to identify potential adverse environmental impacts.

Environmental impact statement (EIS): An EIS is a document that includes analysis of probable significant adverse environmental impacts of a proposal, reasonable alternatives, and possible mitigation measures.

Lead agency: The SEPA lead agency is responsible for completing the environmental review of a proposal and issuing the necessary SEPA documents, so that all permitting agencies can make informed decisions.

Mitigation: Mitigation is avoiding, minimizing, rectifying (repairing), reducing, eliminating, compensating, or monitoring of environmental impacts.

Scoping: Scoping is the initial step in the production of an EIS, where interested agencies, tribes, and the public have the opportunity to comment on issues to be focused on in the EIS.

Scoping notice: see "determination of significance" and "scoping"

SEPA Rules: Chapter 197-11 WAC, the rules adopted by the Department of Ecology to implement the Act.

State Environmental Policy Act: Chapter 43.21C RCW

What is SEPA?

The **State Environmental Policy Act** (SEPA) (chapter 43.21C RCW) was adopted in 1971 to ensure that environmental values were considered during decision-making by state and local agencies.

The environmental review process in SEPA is designed to work with other regulations to provide a comprehensive review of a proposal. Most regulations focus on particular aspects of a proposal, while SEPA requires the identification and evaluation of probable impacts to <u>all</u> elements of the built and natural environment. Combining the review processes of SEPA and other laws reduces duplication and delay by combining study needs; combining comment periods and public notices; and allowing agencies, applicants, and the public to consider all aspects of a proposal at the same time.

This guide will provide a general overview of the SEPA process for project applicants, including guidance in completing the environmental checklist. We understand that first experiences with unfamiliar processes are often frustrating. It is our hope to make the SEPA process as simple and understandable as possible for you.

> The SEPA process is used to identify and assess likely impacts to <u>all</u> elements of the built and the natural environment.

As we discuss the SEPA process and your part in it, you may find it helpful to look over and refer to the **SEPA Review Process** flow chart on the back of this document. You will also find a **Glossary** on page 2 to help you with unfamiliar terms. If after reading through the guide, you have any questions, **Contact Numbers** and **Additional Resources** are also listed on page 25, or you may contact the agency you are working with.

Where do I begin?

The SEPA process most often begins when you submit the first permit application for your proposal to a state or local agency. It may also be possible for you to have a pre-application meeting to discuss your project, permit requirements, and the SEPA process with the agency(ies) involved.

Not all projects require SEPA (see "categorical exemptions" in the glossary for additional information); it is dependent on the size and character of what's proposed. The agency that will be making decisions on your project will tell you whether SEPA is required for <u>your</u> proposal.

You, as the project applicant, will have responsibilities, such as filling out an environmental checklist, which asks questions about your proposal. Supplying accurate and complete information can save both time and money.

> It is helpful to understand that SEPA is not a permit or approval; it is a <u>process</u>.

Most steps in the SEPA process will be handled by the agencies that will issue permits or other approvals for your project. One agency is identified as the SEPA "lead agency" and is responsible for completing the SEPA process. The determination of who is lead agency for your proposal is the responsibility of the agency who

receives the first permit application. In most cases the lead agency will be the city or county will a permit to issue for your project.

Lead agency responsibilities include:

- Reviewing all environmental aspects of your proposal, including those under the jurisdiction of other agencies;

- Identifying potential adverse environmental impacts;

- Determining whether the environmental impacts of your proposal are likely to be significant after identified mitigation is applied;

- Issuing the SEPA documents. (See SEPA Project Review, below.)

SEPA Project Review

The SEPA review process will begin for your proposal when you submit a completed environmental checklist. After initial review of the checklist, the lead agency must decide if they have enough information to identify the potential adverse environmental impacts of your proposal or whether additional information is required.

Mitigation measures may be needed for adverse environmental impacts that are identified. Mitigation measures are changes or conditions added to your proposal that will avoid, minimize, or compensate for adverse impacts.

- If your proposal is not likely to have a significant adverse environmental impact or mitigation has been identified to reduce the impacts sufficiently, a determination of nonsignificance (DNS) can be issued. The DNS may have a public and agency comment period.

- If mitigation cannot be easily identified to sufficiently reduce the likely significant adverse impacts of your proposal, an environmental impact statement (EIS) will be needed. The EIS is used to analyze your proposal, reasonable alternatives, and other methods that may be used to reduce or eliminate the adverse environmental impacts of your proposal. The lead agency begins by issuing a determination of significance (DS)/scoping notice for agencies and the public to review. "Scoping" is done to identify key issues related to your project that will be evaluated in the EIS.

Agencies will use the information in the EIS or DNS when they make permit decisions. Permit conditions may be added to reduce the adverse impacts of your proposal. Under very rare circumstances, if an EIS shows there are likely adverse environmental impacts that cannot be reduced to an acceptable level, permits or other approvals for your proposal may be denied. It is also possible for permits to be denied under applicable permit regulations.

Integrated Project Review

If a city or county planning under the Growth Management Act (GMA) will be issuing a permit or other approval for your proposal, they must also follow the procedures of the Local Project Review Act (Chapter 36.70B RCW). Although many aspects of the Local Project Review Act are similar or related to SEPA, they are separate laws. The purpose of the Local Project Review Act is to provide an opportunity for public and agency involvement early in the project review process and to fully integrate permit review with environmental review.

When a GMA city or county receives your permit application and any additional information they determine necessary to begin their project review, they will issue a "determination of completeness." The determination of completeness is not a SEPA document, but is the first step in the integrated project review process.

Soon after issuing the notice of completeness, the GMA city or county will issue a "notice of application." The notice of application is sent to interested agencies, and the public is given notice that they have 14 to 30 days to review and comment on your proposal. This provides an opportunity for other agencies and the public to become involved early in the review process when it is easiest for any needed changes to be made.

> A determination of completeness does not guarantee that additional information and/or studies will not be needed later in the review process.

If the GMA city or county is also the SEPA lead agency for your proposal, at the agency's option, the comment period for the notice of application may be used to solicit comments on the DS (issued together) or the DNS (which is issued after the comment period ends).

The integrated project review process ends with the GMA city or county issuing a notice of decision that states the decisions made on the project permit applications.

How long will this take?

SEPA review is intended to be integrated throughout an agency's permit review process, rather than a separate step. Most agencies make sincere efforts to process permit applications as efficiently as possible, while still addressing regulatory and environmental concerns. The time needed to review your proposal will depend on the permits needed, the complexity of the project, the amount of information already available, and the need to complete additional analysis or studies. In many cases, project review may be completed in two or three months. On the other hand, completing project review for some complex projects may take years. The SEPA lead agency can give you the best information on when their project review may be completed. You may also wish to discuss timing of permits and approvals with other agencies involved with your project.

How much will this cost?

Agencies are allowed to charge applicants for SEPA processing. These fees are not set by state law but by agency ordinances, and will vary greatly between one agency and another. If additional studies, such as a wetland delineation or traffic study, or an environmental impact statement are required, costs will be much greater. The best guidance is likely to be from the lead agency for your proposal. You may wish to talk this over with them before you get too far along in the process.

Does every permit go through SEPA again?

Usually, the lead agency completes the environmental review process for the entire proposal. All agencies that have permits to issue use the lead agency's environmental analysis and documentation in their decision-making. There are a few exceptions:

- **NEPA is required by a federal agency.** If you need a permit, approval, or funding from a federal agency, you may need to comply with the National Environmental Policy Act (NEPA). NEPA is very similar to SEPA, but it is a federal law and distinct from the state law. With good planning, the requirements of both NEPA and SEPA can be met at one time. It is also possible for NEPA documents to be adopted by state and local agencies to fulfill SEPA requirements (at the discretion of the SEPA lead agency). If you know that you will require federal permits for your project, it is a good idea to discuss the situation with the SEPA lead agency to see how NEPA and SEPA can best be completed.

- **Additional studies are needed by another agency.** Other agencies that must issue a permit, approval, or funding for any portion of the proposal may need additional studies beyond those identified by the lead agency. These may be required under permit regulations, or through SEPA.

How do I begin?

Your first step in the SEPA process is filling out the environmental checklist. The purpose of the environmental checklist is to provide information to identify likely environmental impacts from proposals and to reduce or avoid these impacts, if possible. The agency will also use this information to decide whether the likely environmental impacts of the project need further study, have been adequately addressed by existing regulations, or can be mitigated.

The checklist has questions about your project and both the built environment (land use, transportation, utilities and services, etc.) and the natural environment (water, air, plants, animals, etc.). As you complete the checklist, you should think of ways to reduce the impacts of your project. Modifications made by you or the permitting agencies are most easily integrated early in the development of your proposal.

In most cases, you should be able to adequately answer most, if not all, of the questions yourself based on a familiarity with the project and the site. To help you with this, guidance is included, starting on page 8, on how to best answer the questions and where to get additional information for some questions.

A consultant may be needed if your proposal is complex or additional studies, such as a wetland report or transportation study, are requested by the lead agency. Some applicants prefer to hire a consultant to complete all of the necessary paperwork.

Before you begin, scan through the checklist, so you are familiar with the range of questions. Often, one question will bring to mind information that will help you answer another more completely. Your complete and accurate answers on the checklist helps the agency determine what other agencies will have decisions related to your project, who will be lead agency, and how your proposal is likely to affect the environment. The checklist also provides information to other permitting agencies and those interested in your proposal.

Complete each question to the best of your ability. An answer of "not applicable" should only be used after careful consideration of the question. Failing to provide adequate information is likely to delay the process.

You are also encouraged to use any existing environmental analysis related to your proposal. Relevant studies may have been completed for local planning documents, such as a comprehensive plan or subarea plan, or for similar types of projects nearby.

Giving information on past actions, related off site activities, and/or future expansions or activities planned in connection with your proposal allows the lead agency to decide what activities should be evaluated together. If enough information is available, the lead agency is able to complete the SEPA process for all related activities at one time. This can save both time and money by avoiding going through the SEPA process for each new addition or expansion, and speeding the permitting of later phases.

The standard environmental checklist form can be found within the SEPA Rules at WAC 197-11-960. The SEPA Rules allow lead agencies to change Part A of the checklist to better suit their needs, so it is generally best for you to get a copy of the checklist directly from the lead agency.

What is "mitigation"?

During review of your proposal, the lead agency may identify possible adverse environmental impacts. If so, you and the agency can work together to identify ways to reduce the impacts, either through changes to the proposal or identification of mitigation measures. Mitigation measures are usually conditions placed on the permit or approval.

Mitigation is defined as:
- Avoiding,
- Minimizing,
- Repairing or restoring,
- Reducing or eliminating over time,
- Replacing, enhancing, or providing substitute resources; and/or
- Monitoring the impact and taking appropriate corrective measures. For the purpose of the checklist it would be appropriate to generally describe what the corrective measures might be.

Mitigation may involve almost anything, such as paying impact fees to local school districts, or changing the design of the project to avoid impacts to wetlands or other sensitive areas. Some mitigation may be required by city or county development regulations, or other local, state, or federal laws. Mitigation can also be based on information on adverse environmental impacts in the SEPA document.

What if I need an EIS?

When the lead agency reviews your proposal, they will attempt to identify mitigation for any adverse environmental impacts (see "What is Mitigation?" above). If the lead agency determines that your proposal, with the mitigation identified, is still likely to have a significant adverse impact to the environment, an environmental impact statement (EIS) is required. The EIS evaluates the adverse environmental impacts of various alternatives and explores possible mitigation to reduce the impacts. The lead agency determines how the EIS will be written, and they may ask or allow you to help in the preparation.

The first step in the EIS process is called scoping. The public, interested tribes, and other agencies are asked to make comments suggesting areas of likely impact, potential mitigation, and possible alternatives to be examined in the EIS.

After scoping, the lead agency must decide what will be covered in the EIS. They are not required to cover every alternative identified during scoping, but are likely to choose a number of alternatives that they feel cover the range of reasonable options. You, as the proponent, may be allowed some input in the shaping of the alternatives to be evaluated, but the decision lies with the lead agency. At a minimum, SEPA requires the evaluation of the proposal and a "no-action" alternative. The no-action alternative is usually defined by how things would be if there were no proposal.

The lead agency will issue the draft EIS with a 30-day public comment period, with a possible 15-day extension. The lead agency will then prepare a final EIS that includes responses to comments received on the draft EIS. Agencies may make permitting decisions needed for your proposal seven days after the final EIS is issued.

What if someone comments?

One of the purposes of SEPA is to involve other agencies and the public in the review process. By allowing the public and agencies to comment on a SEPA document, concerns can be identified and evaluated before permits are issued. This can result in better proposals and greater community acceptance of the final project.

If comments are received on a:

- **DS/Scoping notice**: the lead agency will consider the comments when they decide what will be assessed in the EIS.

- **Draft EIS**: the lead agency must respond to all comments in the final EIS. This may involve changes to the alternatives and/or analysis, or may require new issues to be assessed.

- **DNS**: the agency will evaluate the comments to decide how they should best be addressed and may require additional analysis. The DNS may be retained or modified, or it may be withdrawn and the impacts reconsidered.

What if I change my mind?

Changing your proposal after starting the review process can have a drastic effect on the ease or difficulty in completing the review process and receiving your permits. If adverse environmental impacts are avoided by the change, you are likely to ease the permitting process and may even avoid the need to do an environmental impact statement. On the other hand, if the review process is nearly or fully completed, significant changes may require portions of the process to be repeated. Incorporating environmental considerations with good planning is your best tool for a fast, efficient review process. If you choose, you may stop the review process at any time, simply by withdrawing your permit application.

Filling out the Checklist

The checklist asks you to describe the proposed project, the project site and surrounding area, and the likely changes to the environment that would result from the project. The information will be used by all agencies that have a permit or approval to issue for your proposal. The questions apply to all parts of your project, even if you plan to do them over a period of time or on different parcels of land.

The following guidance is provided to assist you in completing the checklist. If an agency has revised Part A of the checklist, so that the numbers no longer coincide, the titles provided should assist you in locating the relevant material.

You must answer each question accurately and carefully, to the best of your knowledge. Complete answers to the questions now may avoid unnecessary delays later. Looking over the checklist before you begin will help you know what information is required. Although most questions can be answered with a familiarity of the project, the site, and the surrounding area, some information will have to be obtained from other sources, such as the city or county in which your project will occur. This guide will provide you help in both answering the questions and locating the information you will need.

The information you provide will help the agencies analyze your project and decide whether additional studies (i.e. wetland delineation or traffic study) are needed. This information will also be used by the agencies when deciding whether to issue the necessary permits or approvals—to address the gaps and overlaps between other regulations. The checklist is designed to help you think about the possible environmental consequences of your proposal. You are encouraged to consider ways to eliminate or reduce these impacts through changes in your proposal, restoration efforts, etc.

TIP ➡

Required versus "possible" mitigation should be clearly identified in the environmental document. Mitigation that is being considered or possible is appropriate to identify but must be clearly identified as "possible." Otherwise, any mitigation described is likely to be considered as commitments and conditions of the project.

Guidance for Part A

As noted earlier, the questions in Part A may be reordered or revised by the lead agency. In that event, the titles used below may assist you in finding the appropriate guidance, despite a change in numbering. For questions not included here, please contact the agency requesting the checklist for additional guidance.

1. Project Name

Many projects have names but not all. Residential developments, commercial, and industrial ventures are often named. If the project does not have a name, the clearer response is "none" rather than leaving the question blank.

2. Applicant Name

More than one person, company, or agency may be listed here. The project's sponsor(s) or the landowner(s) are more appropriate responses than the name of hired consultants, contractor's, architects, etc. who may be handling applications—although including all three is preferable.

3. Applicant Address and Phone Number

At a minimum, include the address and phone number of the preferred contact, but including addresses and phone numbers for everyone listed under #2 is preferable

4. Date Checklist Prepared

This date may be used to document when responses were given. This could alert persons that conditions may have changed and protect the applicant somewhat from charges of misrepresentation if applicable regulations are revised, the proposal is altered, new information becomes known, or an unexpected event occurs at a later date.

5. Agency Requesting Checklist

If the checklist has not yet been requested, list the agency who you intend to submit the checklist to. For agency proposals, list the agency(ies) that will be lead agency for the action.

6. Timing or Schedule

Include information on when construction is expected to begin and end, start of use or operation, expected end of use, and the timing of closure or reclamation. For relicensing of existing facilities/operations, describe the project's history of licensing and operation.

The reference to "**phasing**" refers to where one portion of a proposal is completed or undergoes review and/or approval prior to later stages. Although construction projects typically have stages (grade and fill, utility installation, building construction, etc.) you need only identify them as "phases" if seasons will pass between the stages. Examples include: land division, site preparation, road construction, and utility installation done first, with building construction occurring at some later indeterminate time; or the development of a recreational facility (golf course or resort) followed by later phases such as condominiums, single-family subdivisions, or commercial development on the same or nearby tracts.

7. Future Proposals

Known expansions and related proposals that are expected to occur, but have not undergone environmental review, should be identified. It may be possible to incorporate the review of future aspects within the review of the current proposal, saving time and money later. The lead agency makes the determination of what aspects can and should be reviewed at this time.

8. Environmental Information

Include reports, studies, or other environmental documents that have been, are being, or will be prepared that provide relevant environmental information about your project, the site, or the area. They may be created to support your proposal, for a similar or related project, or they may have been developed during planning by the city or county, etc.

Identify the special reports, studies or plans required by development regulations or submitted with project applications. Examples might be:
- Wetland Report
- Traffic Study
- Geotechnical Study
- Archaeological Report
- Stormwater Pollution Prevention Plan (SWPPP)

9. Pending Approvals

Include any permits, funding, or other approvals that have already been applied for that affect the project site but are not part of the current proposal. Examples include a rezone request, water right application, previous proposal of which this is an addition, etc. A list of common permits can be found on the following page.

10. Permit Information

List all approvals or permits from any governmental entity that you know will be needed for your proposal, whether from the agency requesting the checklist or from other governmental entities. Governmental entities include: cities, counties, state agencies, districts, ports, and federal agencies. Include any required certificates or letters of availability for public services or utilities.

TIP ➡

> If you do not know the permits that might be required, the agency requesting this checklist or the Office of Permit Assistance (OPA) can help you [360-407-7564, 1-800-917-0043 or http://www.ecy.wa.gov/]. OPA can provide applicants and agencies with personal assistance, the Permit Handbook (available online or by request), and an online interactive program "OPAS" that can help you identify permits for your project.

Commonly required permits include but are not limited to:

Local City or County Permits:
- Building
- Preliminary/final plat
- Grading
- Water system
- Shoreline
- Right of way
- Utility
- Site plan review
- Septic system
- Floodplain development
- Variance (zoning, shoreline, etc.)
- Outdoor burning

Federal Issued Permits:

❖ US Army Corps of Engineers
- Section 10 (navigable waters)
- Section 404 (fill in waters)

❖ US Coast Guard
- Section 9 (bridges)

❖ National Marine Fisheries/US Fish and Wildlife
- Endangered Species Act consultation

State Issued Permits:

❖ Dept. of Fish and Wildlife
- Hydraulics project approval
- Bald eagle management
- Grass Carp
- Shooting Preserve

❖ Dept. of Natural Resources
- Forest Practices
- Aquatic lease
- Burning (forest slash)
- Reclamation

❖ Dept. of Ecology
- Water rights
- Well drilling
- NPDES
- Water quality certification
- Stormwater
- Underground storage tank certification
- Dangerous waste

❖ Air Authority/Dept. of Ecology
- New source review, for a business or industry
- Notice of intent, for demolition projects

11. Project Description

Description: Provide a description of the type of project (e.g. retail, land clearing, commercial timber thinning, warehouse), and the actions which would occur (e.g. grade, fill, clear, construct, operate, close, demolish, mine). Provide sizes and/or quantities, if known (e.g. building square footage; site or lot acreage; cubic yards of excavation, grading or fill; number of parking spaces; length of roads or utility lines; etc.).

Example: Clear-cut timber harvest on 3 acres of a 10-acre parcel, estimated 3,000 cu yds of site grading with import of additional 1,200 cu yds of fill material, construct and operate a 30,500 sq ft commercial multi-tenant facility with a 900 sq ft paved outdoor garden center, lighted and paved parking for 1,500 vehicles, utility installation including 950-ft extension of both sewer and water lines, onsite stormwater retention/detention facility, and landscaping.

12. Location

If multiple addresses and/or parcel numbers apply to the project, you may identify the primary address and parcel number(s) and refer to an attached map or written description that will provide sufficient information for the reviewer to understand the precise location of the project. Including the section, township, and range information is also helpful.

Guidance for Part B

1. Earth

a. General site description: Describe the basic shape of the land formation on-site, ignoring structures and vegetation, using terms such as those included in the checklist (flat, rolling, hilly, steep slopes, mountainous, etc.).

b. Percent slope: Percent slope is typically measured by professionals with a clinometer. To calculate it by hand: Field measurements or a topographic map must be used to determine the rise and run of the steepest slope on site. [Information on creating homemade tools to measure the rise (height change) and run (distance) can be found on the University of Minnesota Extension Service's Website at www.extension.umn.edu/]. The rise and run are then used to calculate the percent slope with this formula:

$$\text{Percent slope} = [\text{Rise} \div \text{Run}] \times 100.$$

A 45° angle (where rise and run are equal) would therefore result in a 100 % slope. Ranges of slope are also found in the soil survey books from the U.S. Natural Resource Conservation Service (NRCS)—see 1.c. below.

c. Soil types: Information on specific soil types can be obtained from the U.S. Natural Resource Conservation Service soil survey for your site. Soil survey information is available at many city or county departments of community development or universities or other libraries. Soil surveys may also be ordered, when copies are available, directly from the NRCS regional office in Spokane at (509) 323-2900 or 323-2981.

d. Unstable soils: As well as steep slopes, signs of unstable soils include evidence of past landslides, mass wasting, erosion (including wind erosion), subsidence, tilting structures, uneven floors, cracked paving, etc. Areas of past fill (landfills, filled wetlands or tidal areas, reclaimed surface mines, etc.), destabilization from vegetation removal, evidence or knowledge of high groundwater or concentrated stormwater infiltration, etc. are further indicators of potential soil non-stability.

e. Purpose of fill, excavation, or grading: Examples include: to bring the site level with the street, to level the lot, to fill a low or wet area, to create a pond, etc.

Type of fill: Describe the type of materials to be imported to the site, such as large rocks, gravel, sand, clay, top soil, mixed soil and rock, etc.

Quantity of fill, excavation, or grading: Quantities of grading, excavating, and/or filling should be given in cubic yards. Professionals may need to be consulted for this information (architect, contractor, etc.).

Source of fill: Be sure to include where the fill will come from.

f. Erosion indicators: Filling, excavation, grading, or removal of vegetation or other stabilizing ground cover (including demolition of structures), can encourage erosion. Water traveling over or below ground or deflected off smooth or hard surfaces can cause erosion, as well as unprotected soils exposed to wind.

g. Impervious surfaces: Include any square foot where rain cannot percolate into the ground such as building footprints, asphalt and concrete areas, covered or capped ground, and lined ditches or ponds.

h. Erosion control: Erosion control methods to defray the potential effects of wind, water, and ice on disturbed soils can include:

❖ Minimizing removal of vegetation and/or areas of disturbance, especially in areas of vulnerability such as steep slopes or where there is already evidence of destabilization, both during construction and operation/use;

❖ Planting or maintaining vegetative cover (consider also how the type of vegetation can affect soil stability—considering root structure, evapotranspiration, and diffusion of wind and water energy);

❖ Moistening exposed soils or application of stabilizing compounds to reduce wind erosion;

❖ Placement of straw, riprap, or other materials to reduce exposure of disturbed soils to the elements. Consider how hard armoring (e.g. bulkheads, riprap) versus soft armoring (vegetation) will affect wind and water energy;

❖ Placement of roads and structures away from areas of unstable soils or geological hazards;

❖ Managing stormwater after construction is completed. (Will stormwater collected from large areas of impervious surfaces be discharged directly to the ground at focused locations, released slowly in a diffuse manner, retained on site and discharged directly to surface water, or will it be piped off site?) See also information provided under section **B.3. Water**.

2. Air

a. Air emission types: Dust should be considered a potential air emission if upland vegetation will be removed, or if there will be grading, fill, excavation, rock crushing, demolition, etc.

Some types of activities that generate either indoor or outdoor air pollution emissions or the potential to produce an odor nuisance include:

- Abrasive blasting
- Asphalt preparation
- Coffee roasting
- Composting
- Concrete batching
- Dry cleaners
- Fuel dispensing or storage
- Fuel-fired equipment
- Landfill
- Manure application and storage
- Painting or surface coating
- Plating/Anodizing
- Printing
- Rock or material crushing, grinding, or transport
- Soil or groundwater remediation
- Solvent or other volatile liquid use or storage
- Sterilization processes
- Welding
- Wood processing

If the amount of the emission cannot be quantified (such as from agricultural practices, wastewater facilities, or municipal landfills), describe the source(s), including quantities known or assumed. For example: Liquid manure from X dairy cows will be sprayed on X acres during the months of May through September, and will be collected on-site in an X-gallon capacity dairy lagoon.

b. Off-site sources of air emissions and odors: See subsection 2.a above for possible of-site sources. Identify any regional air quality limitations (such as an air quality designated non-attainment area). For information of this type, contact your local Air

Quality Authority or the Air Quality Program staff at the local Department of Ecology regional office. Areas with existing air quality issues (smoke and other particulate matter, ozone, carbon monoxide, odor, etc.) are more sensitive to impacts from proposed projects and may have an adverse impact on some project activities.

c. **Measures to reduce or control air emissions:** Methods that will be used to reduce or eliminate dust or other air emissions include methods to contain, treat, or reduce odors and/or pollutant emissions, such as consistently covering material soon after deposit, placing covers over or aerating wastewater lagoons, use of bag houses or air scrubbers, wetting or otherwise stabilizing disturbed soils, using "clean" fuel/power, recycling solid waste (rather than burning or landfill), etc.

3. Water

Note: The Washington Department of Ecology's Water Quality Program has information on their website that may be helpful in identifying water quality issues and improving your proposal. http://www.ecy.wa.gov/programs/wq/wqhome.html

a. **Surface Water**

1) **Water body on or near the site:** Describe (and name whenever possible) any onsite or nearby surface water body, including streams (permanent, intermittent, or seasonal), rivers, ponds, wetlands, lakes, salt water, etc. (Although a distance has not been set by rule, within 300 feet or the width of the floodplain, whichever is larger, may be a good rule of thumb to use for determining "nearby.")

2) **Work in, on, or near the water:** Include grading, fill, or excavation; installation, construction, or demolition; paving; painting or other maintenance activities; storage of materials; planting or removal of vegetation; etc. Also describe where these activities will take place in relation to the water body.

3) **Water body fill or dredge:** Describe the quantity, type of material, and the location, including the size of the area to be filled or dredged. Example: Remove 4,000 cubic yards of silt and gravel from the Big River to maintain the navigational channel between river mile (RM) 3.5 and RM 6.2.

4) **Surface water withdrawals and diversions:** Describe the quantity and location of any surface water withdrawal, even if the use will be nonconsumptive (meaning the same quantity of water is returned to the water body). "Diversions" refer to changes in flow patterns, such as diverting a stream away from a building site or the creation of ponds or inlets.

5) **Floodplain:** Zone designations are found on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). FEMA maps are available through the local jurisdiction (city or county) or by contacting the Department of Ecology's regional floodplain staff.

6) **Discharge of waste:** Include industrial wastewater; domestic sewerage; agricultural runoff; stormwater drainage from parking lots, equipment storage areas, chemically-treated lawns and landscaping; etc. Describe the source, the likely contaminates, and quantities if known.

b. **Ground Water**

   1) **Ground water withdrawals and discharges:** Describe any new or increased groundwater extractions, including use or purpose and approximate quantities if known. For water discharges to ground, remember to consider how stormwater runoff collected from impervious surfaces is managed on-site.

   2) **Waste discharges to ground:** Septic systems are a primary source of waste discharges to ground, but unlined ponds or trenches used for discharge or storage of liquid waste (liquid manure, food processing waste, contaminated waters, etc.) should also be considered. Remember to include size/quantities and to describe the nature/characteristics of the waste to the degree known.

   c. **Water runoff (including stormwater):**

   1) **Runoff source and flow:** Describe the source of runoff, any intended management systems, and both where and how the runoff will be discharged or allowed to flow to ground or surface waters.

   2) **Waste or contamination of runoff:** In considering whether waste could be carried to ground or surface waters, consider potential sources of contamination (such as parking lots, equipment storage, agricultural practices, lawn and landscaping maintenance, animal waste, treated wood, eroding soils, etc.), any treatment provided, and where the runoff will flow or be discharged. Describe the type/source of potential contamination and the water body or aquifer it is likely to end up in.

   d. **Mitigation for water impacts:**
   Mitigation measures for <u>water quality</u> impacts may include:
   • Erosion control measures (See section B.1.h above);
   • Minimizing or avoiding activities within water bodies;
   • Working in dry conditions where possible;
   • Providing adequate buffers;
   • Planting and/or maintenance of native vegetation—including trees and shrubs;
   • Replacement or compensation for lost functions;
   • Avoiding or minimizing contamination of stormwater;
   • Adequate treatment and retention of stormwater;
   • Maintaining/replacing septic systems or using public sewer systems;
   • Limiting use of fertilizers and pesticides;
   • Optimum treatment of sanitary and/or industrial wastewater;
   • Location or manner of wastewater discharge (diffusion, area of rapid mixing and/or aeration, etc.);
   • Recycling or treating/reusing wastewater;
   • Using steel or concrete pilings rather than treated wood;
   • Planning over-water structures to minimize shading with narrower width or filtering light through glass or grating.

   Mitigation measures for <u>flooding</u> may include:
   • Minimizing the footprint of impervious surfaces,
   • Avoiding construction or fill within wetlands and/or floodplains,
   • Replacement of lost wetlands,
   • Retention of natural vegetation—including trees,
   • Vegetation plantings,
   • Stormwater management and detention,

- Groundwater recharge versus discharge to surface waters,
- Location and design of wastewater discharge.

Mitigation measures for impacts to <u>water availability</u> to consider:
- Recycle or treat and reuse wastewater,
- Use of equipment or methods to reduce water use,
- Eliminate or minimize existing water consumption,
- Use of alternate source where impact would be reduced.

4. Plants

a. **Types of vegetation:** Information on vegetation types is available from the Washington Department of Natural Resources regional office, the Puget Sound Environmental Atlas, and/or the city or county.

b. **Vegetation removal or alteration:** In most cases the amount of vegetation that will be lost or altered is most easily described in land area (acres or square footage). Selective removal or alteration of a relatively small number of individual trees or other plant(s) would be an exception. If harvesting timber, you may wish to include information on board feet as well as the acreage involved.

c. **Threatened and endangered species:** A list of threatened and endangered plant species within Washington State is available at http://ecos.fws.gov or by contacting the U.S. Fish and Wildlife Service.

d. **Vegetation mitigation:** Avoiding or minimizing disturbance, plantings (particularly of native plant species), removal of invasive species, and reseeding should be considered as ways to mitigate impacts to vegetation. Protection, replacement, or enhancement of rare or valuable habitat is of particular value.

5. Animals

a. **Types of animals:** Information on the types of animals in your area is available from the local Washington Department of Fish and Wildlife office, TRAX system through the regional Washington Department of Natural Resources office, the Puget Sound Environmental Atlas, and/or the city or county.

b. **Threatened and endangered species:** Washington Department of Fish and Wildlife maintains a listing at http://www.wa.gov/wdfw/ or you may contact their GIS section in Olympia. A list of the federally-designated threatened and endangered animal species within Washington State is available at http://ecos.fws.gov or by contacting the U.S. Fish and Wildlife Service or the National Marine Fisheries Service. Lead agencies may also choose to have applicants complete the "Optional Salmon Checklist" available in several formats at http://www.ecy.wa.gov/programs/sea/sepa/forms.htm

c. **Animal migration routes:** Consider birds, fish and other wildlife when identifying migration routes. Examples of areas that should be identified are areas of rare or unique habitat; wildlife corridors; fish-bearing rivers and streams; and lakes, ponds, and other areas where migrating birds are likely to stop.

d. **Wildlife mitigation:** Examples include:
- Habitat restoration (native plantings; maintaining water quality and hydrology including temperature, stream flow, etc.; protection from human and domestic animal intrusion or noise, light, and glare; etc.);

- Measures to preserve or restore fish and wildlife corridors;
- Monitoring or ongoing stewardship of habitat.

6. Energy and Natural Resources

a. **Types of energy:** If different energy types/sources will be used to address separate uses/needs, identify what type will be used for which use (such as natural gas for heating, cooking, and hot water; electricity for all other household needs).

b. **Solar power interference:** In essence, this question refers to shading of nearby properties as a result of the proposal. If this may occur, please describe which properties will be affected and the degree this is likely to occur.

c. **Mitigation** may include:
- Choosing materials or energy sources that have been recycled or are renewable and plentiful,
- Measures to reduce consumption,
- Other measures that will increase availability of the resource now or in the future.

7. Environmental Health

a. **Environmental health hazards:** Describe any existing or suspected contamination at the site. Indicators of possible site contamination include some types of past uses: such as auto repair or wrecking facilities, gasoline dispensing facilities, dry cleaning, municipal dump site, radioactive waste, industrial site, log yard, agricultural uses (fertilizers and/or pesticides), etc.

Contact the Department of Ecology's Toxic Cleanup Program in the regional office or headquarters for additional information or assistance in identifying potential or verified contaminated sites, and the type of contamination likely at a site.

Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development and/or construction, or at any time during the operating life of the project. For example, an auto body shop is likely to use solvents and paints, and produce or generate used cleaning solvents or paint wastes.

The use, storage, and/or transport of minor quantities of cleaning supplies, such as to maintain an office building or for residential needs may be listed as a class rather than individual products. Substances used in large quantities, such as in industrial or agricultural processes, should be identified by name.

1) **Emergency services:** Emergency services include police, fire, spill response, ambulance or aid car, etc. Include the need for specialized services and response. For example, certain types of facilities are required to acquaint fire departments with the toxic materials stored or processed on-site and the special fire-fighting needs of the site.

2) **Mitigation:** Identify mitigation for existing contamination, if any, and for possible impacts during construction and operation of the project.

For possibly contaminated sites, state whether an environmental site assessment has or will be prepared for the site (e.g. Phase I or II site investigation, remedial investigation/feasibility study, etc.). Briefly summarize any actions being taken for additional study or for development of a cleanup plan for contamination or hazardous waste. Contact the Department of Ecology's Toxic Cleanup Program and/or an environmental cleanup contractor for information on appropriate

cleanup and/or containment methods. List any remedial investigation/feasibility study, federal record of decision or state cleanup action plan. (Also list in A.8.)

For the project, list any Spill Prevention, Containment and Control Plan (SPCC) or similar environmental, health, and safety plans. (Also list in A.8.)

Summarize any plans to contain or address environmental impacts and potential releases in the event of an upset, scheduled or unscheduled shut down, accident or contingency occurring, or if project construction or operations are temporarily or permanently suspended. Also, for these circumstances explain any plans to bypass normal processes or controls.

Describe any measures during construction and operations to reduce or eliminate the use or production of hazardous substances.

b. Noise:

1) Noise in the area: Consider noises associated with vehicles, machinery, drilling, blasting, crushing, dropping of heavy objects, sports fields, playgrounds, loud music, animals, bells, sirens, whistles, other alarms, etc.

2) Noise from the proposal: See B.7.b.1 above for help with types of noise sources. Truck traffic should be quantified by number and by size of load; construction noise should be described so that the reviewer can understand whether hammering will be the norm, or heavy machinery will be used; etc.

3) Mitigation for noise: Suggestions include:
- Maintenance or construction of berms and/or vegetated buffers,
- Siting of noise source(s) away from receptors (human and animal),
- Limiting hours of operation;
- Design of structures to absorb noise,
- Selection of equipment and/or power source to be used.

8. Land and Shoreline Use

a. Current uses: Be as specific as possible. The words in the parentheses are examples that give more information than the classifications alone.
- Residential (apartments/condominiums, townhouses/duplexes, single-family homes, group home, etc),
- Commercial (gas station/mini-mart, restaurant, grocery store, strip mall, super mall, etc.),
- Community or public service (school, church, daycare, fire station, etc.),
- Industrial (warehouse, light manufacturing, pulp and paper mill, refinery, etc.),
- Natural resource (forest land, mining, wildlife preserve, etc.),
- Recreational (golf course, country club, resort, park, etc.), or
- Agricultural (orchard, crop farm, cattle ranch, dairy farm, poultry, etc.).

b. Agriculture uses: Include the type of crop or animal raised on the site, as well as how long ago the agricultural use occurred.

c. Structures: Include size, number, and use of each structure.

d. Demolition: Structures are not limited to buildings, but can include bridges, cell towers, fuel tanks, pipelines, etc. When describing a structure to be demolished, information on size is beneficial.

e. **Zoning:** Include the allowable density as well as the classification. Contact the city or county that has primary jurisdiction over the site for this information.

f. **Comprehensive plan designation:** Contact the city or county that has primary jurisdiction over the site for this information.

g. **Shoreline master program designation**: If the site includes or lies within 200 feet of a shoreline of the state, provide the shoreline designation (contact the city or county for this information).

h. **Environmentally sensitive area:** Also referred to as "critical areas," these are formally identified in an ordinance adopted by cities and counties. Categories include wetlands, streams and surface water bodies, aquifer recharge areas, frequently flooded areas, geologic hazards, and fish and wildlife habitat conservation areas. It is the ordinance of the city or county where the project is located which applies regardless of whether a permit is needed from that city or county.

i. **Persons living or working onsite:** Unless residential occupancy is known (such as in nursing homes, correctional facilities, etc.) the following occupancy rates may be used to calculate the number of people expected to reside within the following types of housing:
- 2.8 persons per single family residence;
- 1.9 per unit in multi-unit housing; and
- 2.4 persons per mobile home.

j. **People displaced by the proposal:** Describe the current use of the site as well as the number of persons displaced. Include both the people that use the site formally (reside, work, etc.) and informally (recreation, transportation, etc.).

k. **Mitigation of displacement:** Describe any measures proposed to reduce or compensate for the displacement of persons described under question B.8.j.

l. **Consistency with plans and land use designations:** Describe, if known, how the project complies with existing land use plans and designations or what changes will be required. Beyond those named in section 8 in the checklist, the following are examples of plans and designations that the proponent and agencies may also wish to consider:
- Local subarea plan or overlay zones
- State designated harbor
- Air quality non-attainment area
- State salmon recovery plans
- State wildlife plans
- Watershed management plan
- Habitat conservation plan
- Wild and Scenic River designation
- State or national park, monument, wilderness, wildlife refuge, marine sanctuary, scenic area

9. Housing

a. **Number of units and income level rating:** Number of units refers to the number of apartments or condominiums rather than buildings in multi-residential developments. Set dollar amounts for rating low, middle, and high income housing is not possible due to inflation factors and variability throughout the state. The Washington Office of Financial Management provides information on their website regarding housing

costs and income levels throughout Washington State, derived from the US census. http://www.ofm.wa.gov/

b. Residential units eliminated: See guidance under B.9.a above.

c. Housing mitigation: Consider providing some lower income housing within the development.

10. Aesthetics

a. Building height and exteriors: Although antennas are excluded, other appurtenances should be measured in stating building height, such as smoke stacks, chimneys, vents, etc. Consider window area in determining the primary building exterior material.

b. Views: Include both scenic and non-scenic views that will change. Answer "none" if the appearance of the site will remain unchanged.

c. Mitigation for aesthetics: Views valued by persons recreating, traveling, working and/or living in the area should be considered in the design and review of the project. Mitigation may include:
- Maintenance or construction of berms and/or vegetated buffers,
- Design of structures,
- Minimizing view obstructions,
- Maintaining the character of the area.

11. Light & Glare

a. Types of light and glare: Consider indoor lighting that may be seen through windows, as well as outdoor lighting such as street lights, signage, parking lots, etc. For glare, consider mirrored and unmirrored glass, and unpainted metal surfaces.

b. Safety and views: Consider potential safety impacts to motorists, boaters, air traffic, and pedestrians on and off-site; as well as safety and/or view impacts to nearby residents, area workers, tourists, wildlife and domestic animals.

c. Off-site sources of light and glare: Consider how light and glare from off-site sources could affect residents or workers during construction or operation of the proposed project. Effects on native or domestic animals also need to be considered.

d. Mitigation for light and glare: Mitigation may include:
- Maintenance or construction of berms and/or vegetated buffers;
- Limiting hours of operation or construction work;
- Design or placement of structures to minimize light and glare or view obstructions.

12. Recreation

a. Recreational opportunities: Be as specific as possible. Examples include:

- Walking, hiking, biking, picnicking
- Dirt biking, dune buggies, horseback riding
- Play ground, ball field, tennis or basketball courts, golf course
- Water park, swimming area or pool, boating, rafting, fishing, beach combing
- Amusement park, coliseum, stadium, museum, aquarium, zoo, or other public viewing opportunities
- Fair, rodeo, or other public celebration event

b. Displaced recreational uses: See information provided under B.12.a. above.

c. Recreational mitigation: Creation of new or improved recreational opportunities such as an onsite playground and club house, donation of land for park facility, providing public access to beach, etc.

13. Historic and Cultural Preservation

a. Historic register: Identify any places or objects on or adjacent to the project site that are listed or proposed for listing on a historic register. Contact the local jurisdiction or the State Office for Archaeological and Historic Preservation for information.

b. Cultural site: Identify any places or objects on or adjacent to the project site that are of archeological, scientific or cultural importance. Contact the local jurisdiction, the State Office for Archaeological and Historic Preservation, use the TRAX system (regional Department of Natural Resources offices), or tribal sources for information.

c. Mitigation for historic or cultural resource: Suggestions include:

- Avoidance,
- Maintaining, or restoring the integrity of the site or landmark to the extent possible,
- Relocating the structure or artifact,
- Meeting tribal needs for the sanctity of the location.

14. Transportation

a. Public streets and highways: Highways or other major arterials listed need not directly access the site but are the major roads likely to be used by employees or residents and for the transport of materials or goods on or off the project site.

b. Public transit: Include details on the type (bus, subway, train, etc.) as well as the distance to the nearest stop or terminal.

c. Parking spaces: If parking spaces are intended for other types of vehicles than automobiles, please state the number of each type. Also be sure to note when answering this question when the spaces are being added and when they are being eliminated.

d. New roads and street improvements: It would be beneficial to show any new roadways on a map and describe them here (number of lanes, turn lanes, surfacing, etc.), as well as any appurtances such as lighting, stormwater conveyance, barriers, signage, etc.

e. Water, rail, air transportation: Consider increased demand for the transport of raw materials, products, employees, residents, etc.

f. **Trips per day:** Trips per day is the measure of vehicle trips to or from the project site during a given 24-hour weekday. Many agencies also require information on peak hour trips and it may speed review of your project to include that information on the checklist as well. Only traffic generated by the project need be included. The availability of public transportation, encouragement of car or van pooling, the use of flex-shifts or telecommuting, as well as other traffic mitigation measures may be used to decrease the estimates of traffic generated by the project, but should be detailed in your answer to question B.14.g. below.

g. **Transportation mitigation:** Suggestions may include:
  * A transportation plan for reducing commute trips per day—particularly during peak hours,
  * Road improvements (road widening, added signs or signalization, turn-lanes, etc.),
  * Providing additional parking.

15. Public Services

a. **Public service demand:** In describing increased service demand, include the type of service as well as the reason for increased demand.

b. **Mitigation** may include:
  * Donation of property (on or off-site) for public uses,
  * Providing recreational facilities,
  * Providing on-site security or other emergency services,
  * Operational or design measures to reduce emergency risks,
  * Impact fees.

16. Utilities

a. **Utilities:** Include those utilities that have distribution lines to the site, but note which services will require installation of connection lines to serve the proposal under B.16.b, below.

b. **Utility needs:** Identify utilities that will be used for the project, the name of the service provider, and describe any construction required for access. Example: "Natural gas from Johnson Gas Co. with installation of a distribution line from Missouri St and 123rd Ave north to the extension of Newton St and from Newton St to each lot."

Contact Numbers

Department of Ecology [www.ecy.wa.gov/]

Headquarters (Lacey)	(360) 407-6000
SEPA Unit (Lacey)	(360) 407-6922
Central Regional Office (Yakima)	(509) 575-2490
Eastern Regional Office (Spokane)	(509) 456-2926
Northwest Regional Office (Bellevue)	(425) 649-7000
Southwest Regional Office (Lacey)	(360) 407-6300

Department of Fish and Wildlife [www.wa.gov/wdfw/]

Fish Program	(360) 902-2800
Habitat Program	(360) 902-2534
Region 1 (Spokane)	(509) 456-4082
Region 2 (Ephrata)	(509) 754-4624
Region 3 (Yakima)	(509) 575-2740
Region 4 (Mill Creek)	(425) 775-1311
Region 5 (Vancouver)	(360) 696-6211
Region 6 (Montesano)	(360) 249-4628

Department of Natural Resources [www.wa.gov/dnr/]

Headquarters (Olympia)	(360) 902-1000
Connection to Regions	(800) 527-3305
Central Region (Chehalis)	(360) 748-2383
Northeast Region (Colville)	(509) 684-7474
Northwest Region (Sedro Woolley)	(360) 856-3500
Olympic Region (Forks)	(360) 374-6131
Southeast Region (Ellensburg)	(509) 925-1793
South Puget Sound Region (Enumclaw)	(360) 825-1672
Southwest Region (Castle Rock)	(360) 577-2025

National Marine Fisheries Service [www.nwr.noaa.gov/]   (503) 230-5400

Natural Resource Conservation Service [www.nrcs.usda.gov/] (509) 323-2900
Or check the local phone book.

US Army Corps of Engineers [www.usace.army.mil/]   (206) 764-3495

US Fish and Wildlife Service [www.rl.fws.gov/]   (360) 753-9440

Additional Resources

SEPA (chapter 43.21C RCW), the SEPA Rules (chapter 197-11 WAC), and the SEPA Handbook, are available at http://www.ecy.wa.gov/programs/sea/sepa/   Printed copies are available by calling (360) 407-6924 or e-mailing sepaunit@ecy.wa.gov

SEPA REVIEW PROCESS

You contact an agency to apply for a permit, license, or approval for a project

The agency determines if your project must go through SEPA

No → End of SEPA process; permit review continues

Yes

You complete an environmental checklist and may modify your project to reduce impacts

Lead agency reviews checklist and identifies adverse environmental impacts and potential mitigation

Lead agency determines if your project has any remaining probable significant adverse environmental impacts

Yes

Agency issues a determination of significance/scoping notice for public review/comment, and begins the environmental impact statement (EIS))

Agency issues a draft EIS for review and comment

Agency issues final EIS
7-day wait

No

Agency issues determination of nonsignificance (DNS) that may have a comment period

Withdrawn

If the DNS has a comment period, the agency considers comments. Agency retains, modifies, or withdraws DNS.

SEPA Review Process complete. Agencies can make permit decisions.