

# Rule Adoption Notice

## SEPA (State Environmental Policy Act) Rules, Chapter 197-11 WAC

The Department of Ecology is adopting amendments to Chapter 197-11 WAC, SEPA (State Environmental Policy Act) Rules.

### What is Chapter 197-11 WAC?

SEPA provides a way to identify possible environmental impacts that may result from governmental decisions. SEPA applies to decisions made by every state and local agency within Washington State.

### Summary of the rule changes adopted on December 28, 2012

The purpose of this rule making is to amend Chapter 197-11 WAC SEPA (State Environmental Policy Act Rules) at the direction of the 2012 Legislature. Amendments include:

- Increasing the flexible thresholds that local governments may adopt to exempt minor new construction projects from SEPA review.
- Establishing separate flexible exemption thresholds for local governments in counties fully planning under RCW 36.70A.040 and local governments in other counties.
- Revising the process that local governments follow in adopting flexible SEPA minor new construction exemption thresholds.
- Revising and clarifying language related to the “residential”, “parking lot” and “landfill and excavation” categories of minor new construction.
- Increasing the exemption threshold for SEPA review of electric facilities.
- Adding flexibility for all lead agencies to improve the efficiency of the environmental checklist. This includes allowing for electronic submittal of the environmental checklist, including electronic signature.

#### MORE INFORMATION

For more information on SEPA see:

<http://www.ecy.wa.gov/programs/sea/sepa/e-review.html>

For more information on SEPA rule making see:

<http://www.ecy.wa.gov/programs/sea/sepa/rulemaking2012.html>

For more information on the SEPA and to receive regular rule making updates join the SEPA listserv:

<http://listserv.wa.gov/cgi-bin/wa?A0=ECOLOGY-SEPA-UPDATES>

**Effective: January 28, 2013**

#### Contact information:

Fran Sant  
360-407-6932  
[separulemaking@ecy.wa.gov](mailto:separulemaking@ecy.wa.gov)

#### Special accommodations:

If you need this document in format for the visually impaired, call the Shoreland and Environmental Assistance Program at 360-407-6600.

Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341

## Response to Comments

Ecology's response to comments received during the public comment period is now available. Download a copy at: <https://fortress.wa.gov/ecy/publications/SummaryPages/1206016.html>

## Whom does this rule affect?

This rule affects and applies to decisions by every state and local agency within Washington State, including state agencies, counties, cities, ports and special districts (such as a school or water district).

## More information

State Environmental Policy Act website:

<http://www.ecy.wa.gov/programs/sea/sepa/e-review.html>

To get updates on Ecology's rule-making activities, sign-up for the WACTrack e-mail list at [www.ecy.wa.gov/maillist.html](http://www.ecy.wa.gov/maillist.html).

## Appeal procedures

This adoption can be appealed under procedures described in the Administrative Procedure Act (RCW 34.05.330). For more information about appealing this rule adoption, please contact Bari Schreiner, Agency Rules Coordinator, at (360) 407-6998 or [bari.schreiner@ecy.wa.gov](mailto:bari.schreiner@ecy.wa.gov).