



DEPARTMENT OF
ECOLOGY
State of Washington

Rule Implementation Plan

State Environmental Policy Act (SEPA)

Rules

Chapter 197-11 WAC

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Publication and Contact Information

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Ecology publishes this document to meet the requirements of the Washington State Administrative Procedure Act (RCW 34.05.325)

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Purpose

The Washington State Department of Ecology (Ecology) provides the information in this implementation plan to meet agency and Administrative Procedure Act (RCW 34.05.328) requirements related to rule adoptions.

Introduction

On June 2, 2016, Ecology adopted amendments to Chapter 197-11 WAC State Environmental Policy Act (SEPA) rules (AO # 15-09). The purpose of this rule implementation plan is to inform those who must comply with Chapter 197-11 WAC about how Ecology intends to:

- Implement and enforce the rule.
- Inform and educate persons affected by the rule.
- Promote and assist voluntary compliance for the rule.
- Evaluate the rule.
- Train and inform Ecology staff about the new or amended rule.

Also included in this plan is information about:

- Supporting documents that may need to be written or revised because of the new rule or amended rule.
- Other resources where more information about the rule is available.
- Contact information for Ecology employees who can answer questions about the rule implementation.

Implementation and Enforcement

This rulemaking amends and updates the existing rule. The State Environmental Policy Act (SEPA) is a statewide policy that applies to decisions made by state and local agencies within Washington State, including state agencies, counties, cities, ports and special districts. SEPA applies to all “lead agencies”. It is the responsibility of the “lead agency” to implement environmental review of a specific proposal. SEPA does not have an enforcement component. Ecology will conduct outreach and provide guidance to lead agencies on the rule changes. SEPA staff will also be provide one-on one technical assistance for lead agencies as requested.

Informing and Educating Persons Affected by the Rule

Ecology will issue a press release about the rule adoption and send email notices to the SEPA Rule-Making Advisory Committee, the SEPA listserv, cities, town and counties and all individuals, organizations and companies that commented on the proposed rule.

The final rule language will be posted on the agency's rule web page and the SEPA program web pages. The codified rule, incorporating these revisions, will be posted on the agency web page when the revised rule is completed by the Office of the Code Reviser.

Promoting and Assisting Voluntary Compliance

SEPA rules have been in place since the early 1970's. Lead agencies are already aware of their responsibility under SEPA. Ecology will conduct outreach and provide guidance on the changes to the SEPA rules. Ecology will also continue to provide technical SEPA assistance through our SEPA help desk and email. Ecology will also send messages out to over 800 plus listserv members about the recently adopted rule changes. Ecology staff will also be available to provide one-on-one technical assistance for lead agencies as requested.

Evaluating the Rule

Under this adoption two of the types of amendments focused on creating a categorical exemption for the replacement of city, town or county structurally deficient bridge and updating other transportation related exemptions. Ecology will evaluate the success of the rule by analyzing if lead agencies understand that SEPA is no longer required for the replacement of certain locally owned structurally deficient bridges. Ecology will also work with lead agencies and help them utilize the additional transportation related exemptions.

Training and Informing Ecology Staff

The purpose of this rule is to provide more flexibility for lead agencies to exempt minor transportation projects. SEPA staff will update ecology staff via listserv announcements, internal agency SEPA training as well as providing one-on-one technical assistance.

List of Supporting Documents that May Need to be Written or Revised

1. [Frequently Asked Questions about SEPA](#)
2. [SEPA Handbook](#)
3. [Environmental Checklist Guidance](#)
4. Environmental Checklist

[WAC 197-11-960] <http://www.ecy.wa.gov/programs/sea/sepa/forms.htm>

More Information

For more information on SEPA rule making:

<http://www.ecy.wa.gov/programs/sea/rules/1509docs.html>

For more information on SEPA:

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

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