



DEPARTMENT OF
ECOLOGY
State of Washington

**Rule Implementation Plan
Chapter 197-11 WAC
State Environmental Policy Act (SEPA) Rules**

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Publication and Contact Information

This document is available on the Department of Ecology's website at:
[Ecology Publication webpage](#)¹

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¹ <https://ecology.wa.gov/Footer/Online-tools-publications/Publications-forms>

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Implementation Plan
Chapter 197-11 WAC
State Environmental Policy Act Rule

Shorelands and Environmental Assistance Program

Washington State Department of Ecology

Olympia, Washington

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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 December 20, 2022, Ecology adopted amendments to Chapter 197-11 WAC The State Environmental Policy Act Rule (AO# 22-08). 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 blog post about the rule adoption, send notices to tribal governments, and send email notices to the SEPA listserv, the Rulemaking listserv, cities, town and counties, organizations and associations that impacted by this rule amendment, as well as individuals who requested notice. Notices will include translated language in Chinese, Vietnamese, Korean and Spanish. 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 1500 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

The rule changes were prescribed by law. Ecology's role in evaluating the success of rule adoption is related to our efforts to provide information about the rule, rather than evaluating how many jurisdictions establish higher exemption thresholds. Ecology will publish information about the new options, work with lead agencies to ensure they understand that SEPA is no longer required for certain residential housing projects, and then monitor the success of these outreach efforts. Ecology will evaluate follow-up questions we receive on the updated rule and use that feedback to improve our guidance on an ongoing basis.

Training and Informing Ecology Staff

The purpose of this rule is to provide more flexibility for lead agencies to exempt or limit the amount of environmental review for residential development. SEPA staff will update Ecology staff via listserv announcements, internal agency SEPA training, and one-on-one technical assistance.

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

1. Environmental Checklist [WAC 197-11-960](#):⁴
2. Environmental Checklist Guidance [SEPA checklist guidance - Washington State Department of Ecology](#)⁵
3. SEPA Handbook [SEPA Handbook \(wa.gov\)](#)⁶

⁴ <https://app.leg.wa.gov/WAC/default.aspx?cite=197-11-960>

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance>

⁶ <https://ecology.wa.gov/DOE/files/4c/4c9fec2b-5e6f-44b5-bf13-b253e72a4ea1.pdf>

More Information

For more information on SEPA rulemaking:

[WAC 197-11 - SEPA rules - Washington State Department of Ecology](#)⁷

For more information on SEPA:

[State Environmental Policy Act \(SEPA\) - Washington State Department of Ecology](#)⁸

⁷ <http://ecykenpub/Regulations-Permits/Laws-rules-rulemaking/Rulemaking/WAC-197-11-SEPA-rules>

⁸ <https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>

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Other Resources:

[SEPA Help](#)¹²

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