

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals: [\[help\]](#)

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. Background

1. Name of proposed project, if applicable:

Proposed amendments the Shoreline Management Act rules, specifically Chapters 173-18, 173-20, 173-22, 173-26 and, 173-27 WAC. See our rulemaking webpage at <http://www.ecy.wa.gov/programs/sea/rules/1506ov.html>

2. Name of applicant:

Washington State Department of Ecology

3. Address and phone number of applicant and contact person:

*Tim Gates, SEA Program, WA State Department of Ecology, PO Box 47600, Olympia, WA 98504-7600.
Phone 360-407-7622 . E-mail tgat461@ecy.wa.gov*

4. Date checklist prepared: *February 2017*

5. Agency requesting checklist: *Washington State Department of Ecology.*

6. Proposed timing or schedule (including phasing, if applicable): *Rule adoption is planned for summer 2017.*

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. *There are no immediate plans for further rulemaking.*

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- *Issue paper 1 – Periodic Review*
- *Issue paper 2 – Joint Review*
- *Issue paper 3 – Housekeeping amendments*

These issue papers have been prepared for the proposed rulemaking and contain additional background and analysis. The issues papers are attached hereto and incorporated by reference into this document.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

N/A

10. List any government approvals or permits that will be needed for your proposal, if known.

Adoption of this rule will need to comply with the requirements of the Washington State Administrative Procedures Act (Chapter 35.04 RCW).

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Ecology proposes to adopt amendments to Chapters, 173-18, 173-20, 173-22, 173-26 and 173-27 WAC.

These rule changes include:

1. *Clarifying the process to comply with the periodic review requirement per Shoreline Management Act, RCW 90.58.080 as the first round of Shoreline Master Program (SMP) reviews will be due to Ecology June 2019;*

2. *Simplify the process for approving minor updates to SMPs;*
3. *Housekeeping amendments to include the following*
 - *Update the list of shorelines of the state to be consistent with the SMP updates;*
 - *Ensure consistency with amendments to statute since the last rule revision;*
 - *Capture any administrative updates since the last rule revision.*

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

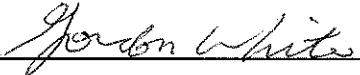
This proposed rulemaking applies statewide, to local jurisdictions responsible for implementing and updating Shoreline Master Programs.

B. ENVIRONMENTAL ELEMENTS

As specified in WAC 197-11-315(1)(e), for this nonproject proposal, Department of Ecology has determined that the questions in Part B do not aid in the review of the proposal. See the associated Issue Papers and analysis in Part D for additional information.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:  2/23/17

Name of signee: Gordon White, Program Manager, Shorelands and Environmental Assistance

Date: February 23, 2017

D. Supplemental sheet for nonproject actions

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?
N/A - The proposed rule is designed to improve clarity and provide consistency for local governments in updating their Shoreline Master Programs
2. How would the proposal be likely to affect plants, animals, fish, or marine life?
N/A - The proposed rule is designed to improve clarity and provide consistency for local governments in updating their Shoreline Master Programs
3. How would the proposal be likely to deplete energy or natural resources?
N/A- The proposed rule is designed to improve clarity and provide consistency for local governments in updating their Shoreline Master Programs
4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
N/A- The proposed rule is designed to improve clarity and provide consistency for local governments in updating their Shoreline Master Programs
4. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
Proposed rule amendments address three main topics:
 1. *Clarifying the process to comply with the Shoreline Management Act's (SMA) periodic review requirement. The SMA required a comprehensive update of all Shoreline Master Programs (SMP) statewide. The SMA also requires all SMPs be reviewed, and updated if needed, on a repeating eight-year cycle (RCW 90.58.080(4)). The first round of SMP reviews are due June 2019. Proposed rule language outlines a review and approval process, with the goal of providing certainty for local governments, Ecology, citizens and appellate boards as to expectations for periodic review compliance.*
 2. *Creating an optional joint public review process related to SMP amendments by providing a new option for a consolidated local and state comment period.*
 3. *"Housekeeping" amendments to ensure consistency with statutory changes and capturing any administrative clarifications that have resulted from reviewing SMPs since the last rule revision.*
6. How would the proposal be likely to increase demands on transportation or public services and utilities?
The proposal will not increase demand, and may reduce demand by creating an optional consolidated local and state comment period.
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.
Rule amendments will reduce conflict by ensuring consistency with any statutory changes and administrative updates that have occurred since the last rule revisions.