



**STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY**

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**STATE ENVIRONMENTAL POLICY ACT  
DETERMINATION OF NONSIGNIFICANCE**

Date of Issuance: *September 12, 2022*

Lead Agency: Department of Ecology, Shorelands and Environmental Assistance Program,  
Environmental Review Section

Agency Contact: Sarah Cassal, 360-688-6374, [sarah.cassal@ecy.wa.gov](mailto:sarah.cassal@ecy.wa.gov)<sup>1</sup>

Description of proposal: Chapter 197-11 WAC, State Environmental Policy Act (SEPA) Rules,  
Expedited Rule Making.

Chapter 246, 2022 Session Law (Substitute Senate Bill 5818) of the Washington State Legislature mandated the Department of Ecology (Ecology) to complete expedited rule making by December 31, 2022. Amendments to the SEPA Rules, Chapter 197-11 WAC for consistencies with Chapter 43.21C RCW, the State Environmental Policy Act (SEPA).

Location of proposal: Statewide

Applicant/Proponent: Washington State Department of Ecology

Ecology has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). We have reviewed the attached Environmental Checklist and Attachment A: Draft Proposed Rule Changes. These documents are available on the SEPA Register<sup>2</sup>.

This determination is based on the following findings and conclusions:

Chapter 246, 2022 Session Law mandates the Washington State Department of Ecology to adopt expedited rule making by December 31, 2022 to implement the changes to the State Environmental Policy Act (SEPA) into the SEPA Rules, Chapter 197-11 WAC. The proposed changes are limited in scope to eliminate inconsistencies between SEPA and the SEPA Rules.

This DNS is issued under WAC 197-11-340. All comments received prior to September 26, 2022 will be considered.

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<sup>1</sup> [Sarah.Cassal@ecy.wa.gov](mailto:Sarah.Cassal@ecy.wa.gov)

<sup>2</sup> <https://apps.ecology.wa.gov/separ/Main/SEPA/Record.aspx?SEPANumber=202204489>

*Determination of Nonsignificance*

*DRAFT Proposed Rule Amendment Language to WAC 197-11*

*September 12, 2022*

*Page 2 of 2*

Please send written comments to: [separulemaking@ECY.WA.GOV](mailto:separulemaking@ECY.WA.GOV) <sup>3</sup>

Responsible Official:

Joenne McGerr  
Shorelands and Environmental Assistance Program Manager  
Department of Ecology  
P.O. Box 47600, WA 98504-7600



Signature

Date September 12, 2022

This SEPA decision may be appealed in conjunction with an appeal on the underlying agency action. In this case, the rule amendment may be appeal by the process identified in Chapter 34.05.330 RCW- Petition for adoption, amendment, repeal—Agency action—Appeal.<sup>4</sup>

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<sup>3</sup> [separulemaking@ECY.WA.GOV](mailto:separulemaking@ECY.WA.GOV)

<sup>4</sup> <https://app.leg.wa.gov/RCW/default.aspx?cite=34.05&full=true#34.05.330>

