

State Environmental Policy Act (SEPA)

- **Adopted in 1971 (RCW 43.21C)**
- **Informs decisions of state and local agencies**
 - Requires information to analyze potential environmental impacts
- **Lead agency determines if impacts are significant**
 - Determination of Non-Significance (DNS)
 - Mitigated Determination of Non-Significance (MDNS)
 - Determination of Significance (DS)
= Environmental Impact Statement
- **Applies to all agency actions, with some categories of exemptions**

Examples:

 - Small size
 - Process amendments
 - Plans that have already had SEPA review



SEPA is intended to ensure that environmental values are considered during decision-making by state and local agencies.

Up-Front SEPA Review Area – Downtown Strategy Recommendation

As allowed under state law*, would exempt projects in Downtown from additional SEPA process and utilize ‘up-front’ environmental review:

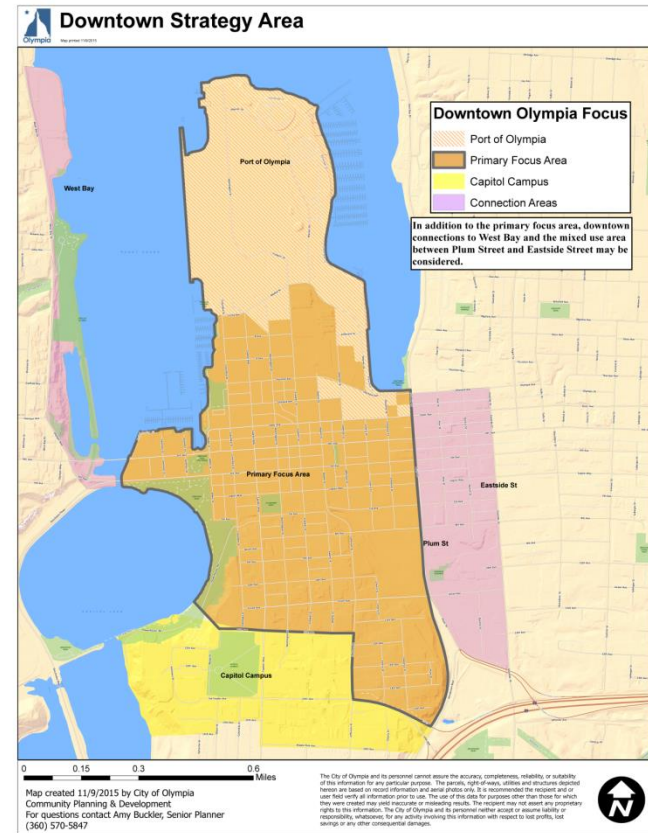
Applies to:

- Stand alone residential
- Mixed use
- Stand alone commercial less than 65,000 (except retail)

Does not apply to:

- Industrial uses
- Lands covered by water
- Other specific cases in statute

* RCW 43.21C.229



DTS Goal: Improve predictability and maintain environmental protection by addressing needed mitigation upfront in City Code rather than case-by-case SEPA process

Steps To *Up-Front* SEPA Review Area

1. Identify potential 'gaps' if adopt SEPA exemption - **COMPLETE**
 - Flood risk
 - Off-site traffic impacts
 - Archaeological/Cultural Resources

2. Address potential gaps by adopting code provisions
 - Flood risk – **COMPLETED in 2016**

 - Off-site traffic impacts – **INCORPORATED INTO 2017 EDDS UPDATE**

 - Archaeological/Cultural Resources – **DRAFT ORDINANCE**
 - Immediate notice of development applications to tribes and DAHP
 - Signed Inadvertant Discovery Plan required
 - Other protection actions may be required based on consultation with Tribes and/or DAHP

3. Draft and adopt allowance for SEPA Infill Exemption Area – **DRAFT ORDINANCE**
 - Include needed updates to existing SEPA code for consistency with state rules and other city code provisions

Up-Front SEPA Review Area - Summary

Adds Categorical Exemption in Downtown Area for:

- Residential
- Mixed Use
- Non-retail commercial of 65,000 s.f. or less

IF

- Consistent with comprehensive plan, zoning and all other applicable regulations
- Still meets transportation level of service

City may still add specific conditions to:

- Preserve landmark views identified in Downtown Strategy
- Provide for trail connections adopted in Regional Trails Plan or Parks and Recreation Plan