

6: State Environmental Policy Act (SEPA)

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See also Section 1-D: Land Use Permits

6-A: When is SEPA triggered?

Determine if the State Environmental Policy Act (SEPA) will apply:

Every project will be reviewed to see if SEPA applies.

If SEPA is triggered, the first step is to submit a checklist with the land use application to determine if the project would create impacts on the quality of the environment.

The SEPA Checklist will help the city determine if an environmental impact statement (EIS) is required. If an environmental impact statement (EIS) is required, the standard 120-day land use permit review timeline clock stops for the EIS review process and will likely result in additional conditions and or mitigations.

Is a SEPA Checklist Required?

The [SEPA Checklist](#) is required to be completed and submitted for projects that are over any of the following thresholds:

- Any presence of critical areas, wetlands, etc.
- Any potential adverse impact to environment
- Buildings 4,000+ sq. ft.
- 5,000 sq. ft. of impervious surfaces
- Adding 20+ parking spaces
- Adding 10+ P.M. peak-hour trips
- Excavating and/or filling 250+ cubic yards

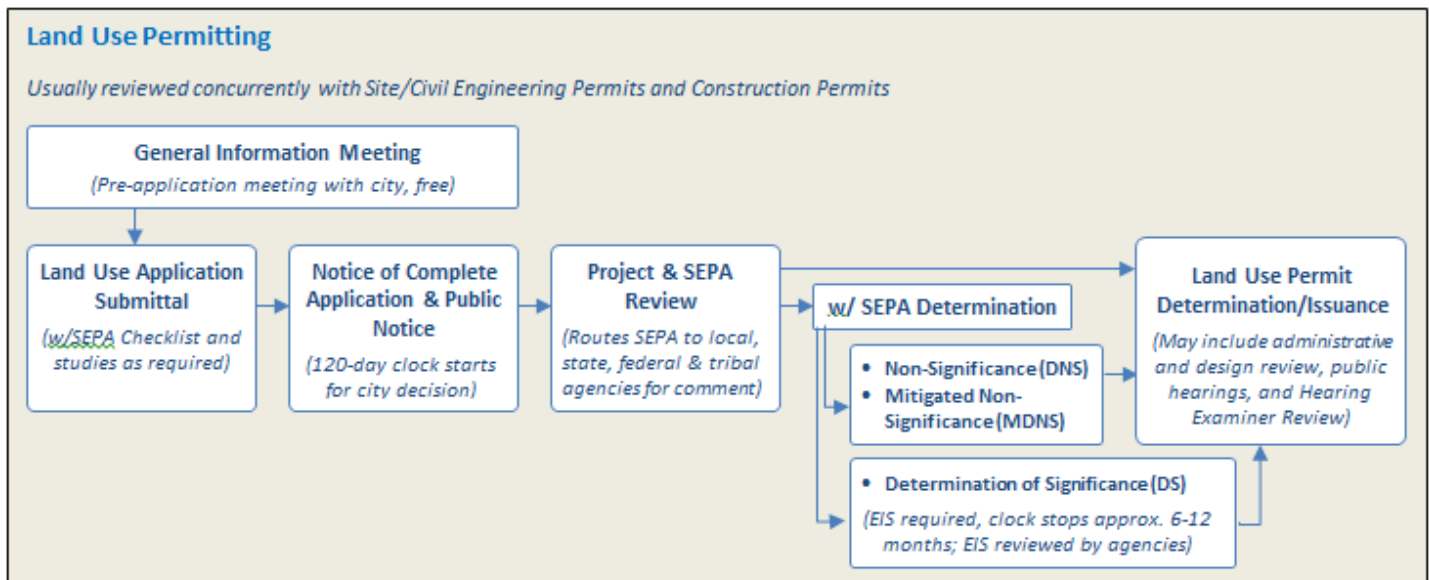
IMPORTANT: Talk with city staff at pre-application meeting to determine which studies or analysis will be required to be submitted with application. *Incomplete information* may cause the 120-day project review clock to stop.

6-B: SEPA: Environmental Impact Statement

After review of the SEPA checklist and supporting documentation, the city (or other lead agency) will issue one of the following determinations:

SEPA Determination	Outcome
Determination of Non-Significance (DNS)	Proposal continues through city's land use review process
Mitigated Determination of Non-Significance (MDNS)	Potential impacts have been mitigated and proposal continues through city's land use review process
Determination of Significance (DS)	All proposals with probable significant adverse impacts on the quality of the environment must complete an environmental impact statement (EIS). The 120-day clock stops for the EIS review process and will likely result in additional conditions and or mitigations. For more information on the EIS Process visit Ecology's website.

6-C: Land Use Permitting with SEPA



Application Review

Staff will review the application materials to ensure all required materials are included and appear to be adequate (e.g. a wetland study that is prepared by a wetland biologist, a traffic study prepared by a transportation engineer, certificate of water availability).

Most jurisdictions complete this step in 28 days or less.

Notice of Complete Application

If application is accepted as complete, the Notice of Complete Application is issued by the city.

This notice is often combined with the Public Notice of Application and includes formal public notice published in the newspaper, physically posting at the project site and mailing notices to all property owners within a certain distance of the site, posting on city website, etc. This Notice alerts the public to the proposed project and generally includes at least a two-week (14 day) comment period.

Project & SEPA Review

The application materials and SEPA Checklist are routed to local, state, federal and tribal agencies for review and comment. Generally at least two weeks (14 days) is given for review and to provide comments back to the designated staff (usually the planner).

SEPA Determination

The designated staff reviews comments from affected departments, agencies, and organizations. This is when the Determination of Non-Significance (DNS) or Mitigated Determination of Non-Significance (MDNS) is usually issued.

However, if a reviewing entity has identified that there is a technical inadequacy in submitted materials, or an additional study is needed (e.g. site visit reveals a previously unsuspected wetland may be present), the planner may put the project “on hold” (also known as “stopping the clock”) until the additional information is provided.

This is fairly uncommon but can occur when something that was unknown – and therefore was not covered at the General Information Meeting conference – is discovered during the site review.

Determination of Significance

Once the additional information is submitted and accepted as complete, the process resumes. If the jurisdiction decides to issue a Determination of Significance (DS), the applicant will need to modify the proposal to reduce the adverse impacts from the project or prepare an Environmental Impact Statement (EIS).

Either way, the application will be placed “on hold” until the additional materials are submitted.