

FINAL BILL REPORT

SHB 1474

FULL VETO

Brief Description: Increasing categorical exemptions from SEPA.

Sponsors: By House Committee on Government Reform & Land Use (originally sponsored by Representatives Reams, Cairnes, Lisk, Sherstad, Sheldon, Sheahan, Pennington, Hatfield, Koster, Dunn, Doumit, McMorris, Alexander, Thompson, Bush, McDonald, Delvin, Wensman and Mulliken).

House Committee on Government Reform & Land Use
Senate Committee on Agriculture & Environment

Background: The State Environmental Policy Act (SEPA) requires local governments and state agencies to prepare a detailed statement (also known as an environmental impact statement) if proposed legislation or other major action may have a probable significant, adverse impact on the environment. The determination whether a detailed statement must be prepared, involves a threshold determination and use of an environmental checklist.

The Department of Ecology's rules categorically exempt some matters from a threshold determination. Among other classifications, the categorically exempted matters are classified as being minor new construction or minor land use decisions. Counties and cities are permitted to raise the exemption level for what is categorically exempted as minor new construction up to higher specified levels, but are not permitted to raise the exemption level for what is categorically exempted as minor land use decisions.

If it appears that a probable significant adverse environmental impact may result, the proposal may be altered, or its probable significant adverse impact mitigated, to remove the impact. If the probable significant adverse environmental impact remains, then an environmental impact statement is prepared. The environmental impact statement is limited, or scoped-, to address only the matter or matters that are determined under the threshold determination process to have a probable significant adverse environmental impact.

The Growth Management Act (GMA) requires certain counties, and cities located in those counties, to plan under all of the requirements of the act. In addition, the county legislative authority of any county may adopt a resolution making the county, and cities located in that county, plan under all of the requirements of the GMA.

Among other requirements, a county planning under all of the requirements of the GMA must designate urban growth areas within which urban growth will be located and outside of which urban growth may not be located.

Summary: Minimum categorical exemption levels for minor new construction, landfill or excavation proposals, and minor land use decisions within urban growth areas in counties planning under the GMA. The exemption levels are increased above the levels permitted in the Department of Ecology rules. The legislative authority of a county or city planning under the GMA may raise the exemption levels by ordinance or resolution to specified maximum levels.

Votes on Final Passage:

House 59 38

Senate 31 18 (Senate amended)

House 56 36 (House concurred)