

ESB 6762 - H COMM AMD

By Committee on Ecology & Parks

NOT CONSIDERED 03/11/2010

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 43.21C.031 and 1995 c 347 s 203 are each amended to
4 read as follows:

5 (1)(a) An environmental impact statement (the detailed statement
6 required by RCW 43.21C.030(2)(c)) shall be prepared on proposals for
7 legislation and other major actions having a probable significant,
8 adverse environmental impact. The environmental impact statement may
9 be combined with the recommendation or report on the proposal or issued
10 as a separate document. The substantive decisions or recommendations
11 shall be clearly identifiable in the combined document. Actions
12 categorically exempt under RCW 43.21C.110(1)(a) do not require
13 environmental review or the preparation of an environmental impact
14 statement under this chapter. This subsection does not impose the
15 requirements of RCW 43.21C.030 or this section upon actions that are
16 statutorily exempt from this chapter's environmental review
17 requirements. Proposals, or parts of proposals, that are so closely
18 related as to be in effect a single course of action must be evaluated
19 in the same environmental document if the:

20 (i) Proposal, or parts of the proposal, cannot or will not proceed
21 unless implemented simultaneously; or

22 (ii) Larger proposal is necessary for justification or
23 implementation of parts of the proposal. Phased environmental review
24 may be allowed by rule of the department. In a county, city, or town
25 planning under RCW 36.70A.040, a planned action, as provided for in
26 subsection (2) of this section, does not require a threshold
27 determination or the preparation of an environmental impact statement
28 under this chapter, but is subject to environmental review and
29 mitigation as provided in this chapter.

1 **(b)** An environmental impact statement is required to analyze only
2 those probable adverse environmental impacts which are significant.
3 Beneficial environmental impacts may be discussed. The responsible
4 official shall consult with agencies and the public to identify such
5 impacts and limit the scope of an environmental impact statement. The
6 subjects listed in RCW 43.21C.030(2)(c) need not be treated as separate
7 sections of an environmental impact statement. Discussions of
8 significant short-term and long-term environmental impacts, including
9 cumulative impacts, significant irrevocable commitments of natural
10 resources, significant alternatives including mitigation measures, and
11 significant environmental impacts which cannot be mitigated should be
12 consolidated or included, as applicable, in those sections of an
13 environmental impact statement where the responsible official decides
14 they logically belong.

15 (2)(a) For purposes of this section, a planned action means one or
16 more types of project action that:

17 (i) Are designated planned actions by an ordinance or resolution
18 adopted by a county, city, or town planning under RCW 36.70A.040;

19 (ii) Have had the significant impacts adequately addressed in an
20 environmental impact statement prepared in conjunction with (A) a
21 comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or
22 (B) a fully contained community, a master planned resort, a master
23 planned development, or a phased project;

24 (iii) Are subsequent or implementing projects for the proposals
25 listed in (a)(ii) of this subsection;

26 (iv) Are located within an urban growth area, as defined in RCW
27 36.70A.030;

28 (v) Are not essential public facilities, as defined in RCW
29 36.70A.200; and

30 (vi) Are consistent with a comprehensive plan adopted under chapter
31 36.70A RCW.

32 (b) A county, city, or town shall limit planned actions to certain
33 types of development or to specific geographical areas that are less
34 extensive than the jurisdictional boundaries of the county, city, or
35 town and may limit a planned action to a time period identified in the
36 environmental impact statement or the ordinance or resolution adopted
37 under this subsection.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21C RCW
2 to read as follows:

3 When an agency is the lead agency on its own proposal, the agency
4 staff carrying out the environmental review procedures of RCW
5 43.21C.030 and 43.21C.031 should be different from the agency staff
6 developing the proposal."

7 Correct the title.

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