

WAC 330-01-090 Public hearings when there is no EIS. (1) **No EIS.** When this chapter applies to a proposal, but an EIS is not being prepared, the municipality shall nonetheless provide an opportunity for public hearings by following the procedures in this section.

(2) **Notice of opportunity for hearings.** The municipality shall publish a notice in a newspaper of general circulation in the area where proposed system would be located. The notice shall contain:

(a) A statement that members of the public may request the municipality to hold a corridor or design public hearing (as applicable).

(b) A brief description of the system's route location or major design features (as applicable).

(c) The availability of an environment document, if any, on the proposal.

(d) The method and date by which members of the public can request a public hearing.

(3) **When a hearing must be held.** The municipality shall hold a corridor or design public hearing (as applicable) under this section when written requests are submitted by:

(a) Twenty-five or more persons residing within the municipality, or who would be affected by the proposal; or

(b) Two or more agencies with the authority to approve or disapprove the proposal. The written requests must be received within thirty days of the publication of the notice required by subsection (2) above.

(4) **Notice of corridor/design public hearings.**

(a) **Publication.** The municipality shall publish a notice of public hearings in a newspaper of general circulation in the area where the proposed system would be located. The hearing shall be held no earlier than fifteen days nor later than fifty days from the date of first newspaper publication.

(b) **Content.** The notice shall contain:

(i) A brief description of the location or design (as applicable) of the proposed system.

(ii) A statement that members of the public may comment on:

(A) The need for and location of the system, for corridor public hearings;

(B) The major design features of the system, for design public hearings; and

(C) The social, economic, and environmental effects of the location (or design) of the proposal and alternate locations (or designs).

(iii) The name and availability of environmental or other documents pertaining to the hearing.

(iv) The time and place of the hearing.

(5) **Conduct of public hearings.**

(a) **Availability of documents before hearings.** The municipality shall make any environmental document on the proposed system available to the public at least fifteen days before the public hearings. The municipality shall also make these documents available for public inspection at the hearings.

(b) **Chair and rules.** The public hearings shall be chaired by a member of the council of the municipality or a person designated by the chair of the transit committee. The hearing shall be conducted in conformance with the municipality's adopted rules or procedures for public hearings and with applicable state or federal regulations.

(c) **Recordings.** Recording may be made of any proceedings of these public hearings, and such recordings shall be appropriately indexed

and made available at the municipality's library or its SEPA public information center.

(d) **Corridor public hearings.** At corridor public hearings, the municipality shall allow the public to present views on the need for the system, the location of the system, and the social, economic, and environmental effects of the system's location and alternate locations.

(e) **Design public hearings.** At design public hearings, the municipality shall allow the public to present views on the major design features of the system, and on the social, economic, and environmental effects of the system's design and alternate designs.

(6) **Combined hearings.** The municipality may combine corridor or design public hearings with other public participation, in which case alternative procedures may be used (see WAC 330-01-070 and 330-01-080).

[Statutory Authority: RCW 35.58.273. WSR 84-07-034 (Resolution No. 4328), § 330-01-090, filed 3/19/84.]