

SENATE BILL REPORT

SB 6555

As of January 29, 1998

Title: An act relating to categorical exemptions from the state environmental policy act for certain activities.

Brief Description: Exempting certain activities from the state environmental policy act.

Sponsors: Senators Morton, T. Sheldon, Anderson, Hargrove, Rasmussen, Strannigan and Zarelli.

Brief History:

Committee Activity: Agriculture & Environment: 2/4/98.

SENATE COMMITTEE ON AGRICULTURE & ENVIRONMENT

Staff: Kari Guy (786-7437)

Background: The State Environmental Policy Act (SEPA) requires local governments and state agencies to prepare a detailed statement on the environmental impact of any proposed legislation or major action. The act specifies certain actions that are exempt from SEPA review, and directs the Department of Ecology to adopt rules to specify additional categories of governmental actions that should be exempt from SEPA review.

The Department of Ecology SEPA rules include flexible threshold exemptions for minor new construction. The rule specifies minimum thresholds for exemptions, and allows cities and counties to raise the exemption to the maximum level by ordinance or resolution. The minimum and maximum exemption levels established for minor new construction activities include the following:

- (1) The construction of a residential structure of four to 20 dwelling units;
- (2) The construction of an office or commercial structure of 4,000 to 12,000 square feet, and associated parking;
- (3) The construction of a parking lot for 20 to 40 automobiles; and
- (4) Landfill or excavation of 500 cubic yards.

In addition to the categorical exemptions for minor new construction, an exemption is provided for the approval of a short subdivision. A short subdivision is the division of land into four or fewer lots. The legislative authority of a city or town may increase the number of lots in a short subdivision to a maximum of nine.

The Growth Management Act requires certain counties to designate urban growth areas within which urban growth shall be located. The urban growth area must include area

sufficient to permit the growth that is projected to occur in the county for the succeeding 20-year period, and must permit a range of urban densities and uses.

Summary of Bill: Decisions pertaining to the following actions are exempt from the State Environmental Policy Act within urban growth areas:

- (1) The construction of a residential structure of ten or fewer dwelling units;
- (2) The construction of an office or commercial structure of 8,000 square feet, and associated parking;
- (3) The construction of a parking lot for 40 or fewer automobiles;
- (4) Fill or excavation of 500 cubic yards over the lifetime of the fill or excavation; and
- (5) Division of land into nine or fewer lots.

The legislative authority of a city or county may raise the exemption for residential structures to 20 dwelling units, and for an office or commercial structure to 12,000 square feet.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.