

WAC 220-600-100 Summary of information which may be required of a private applicant.

(1) The applicant for each proposal for which the department is the lead agency shall submit a complete environmental checklist along with a complete application for the required approval.

(2) After review of the environmental checklist, the department may require the applicant to submit additional information necessary to properly evaluate the potential environmental impacts of the project. Field investigation or research may be required of the applicant or conducted by the department at the applicant's cost.

(3) Preparation of EISs is the responsibility of the department's environmental services division. The responsible official shall be satisfied that all EISs issued by the department are in compliance with these rules and chapter 197-11 WAC.

(4) Whenever someone other than the department prepares an EIS the responsible official shall:

(a) Coordinate scoping to insure that the individual preparing the document receives all substantive information submitted by any agency or person.

(b) Direct the areas of research and study to be undertaken and the content and organization of the document.

(c) Assist in obtaining information on file with another agency that is needed by the person preparing the document.

(5) The responsible official may not require more information of a private applicant than allowed by these rules as supplemented and required by chapter 197-11 WAC.

(6) An EIS is required for each project for which a determination is made that the proposal will have a probable significant adverse impact on the environment. The applicant may prepare the EIS if judged by the department to be qualified, have the department develop the EIS, or hire a consultant to do so. In any case, the EIS shall be prepared under the direction of the responsible official at the expense of the applicant and final approval is that of the responsible official. Cost of preparing the EIS shall be paid by the applicant and shall include fees of the consultant, the department consultation time and cost of any required materials. If the applicant chooses to hire a consultant to prepare the EIS, the consultant must be mutually agreed upon by the applicant and the department. A performance bond in an amount specified by the department may be required of the applicant to ensure payment of the department expenses pursuant to WAC 197-11-914. Private applicants are encouraged to be involved in the EIS preparation process.

(7) A supplemental EIS shall be prepared as an addition to the EIS if the department decides that:

(a) There are substantial changes to a proposal which will have a probable significant adverse environmental impact; or

(b) There is significant new information relative to the probable significant environmental impact of a proposal.

(c) Pursuant to WAC 197-11-600 (3)(c), written comments on the DEIS warrant additional discussion for purposes of its action than that found in the FEIS.

[Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-600-100, filed 2/15/17, effective 3/18/17. Statutory Authority: RCW 77.12.047. WSR 03-10-038 (Order 03-83), § 220-100-060, filed 4/30/03, effective 5/31/03. Statutory Authority: RCW 75.08.080. WSR

84-19-053 (Order 84-144), § 220-100-060, filed 9/18/84; WSR 78-05-029 (Order 78-17), § 220-100-060, filed 4/17/78; Order 76-40, § 220-100-060, filed 5/25/76.]