
SENATE BILL 6476

State of Washington 53rd Legislature 1994 Regular Session

By Senators Fraser, Moore, Morton, Sutherland, Talmadge and Franklin

Read first time 01/24/94. Referred to Committee on Ecology & Parks.

1 AN ACT Relating to integrating comprehensive land use planning and
2 environmental analysis; amending RCW 43.21C.034; adding a new section
3 to chapter 43.21C RCW; and creating new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that both the
6 state environmental policy act and the growth management act are
7 intended to ensure healthy, sustainable communities and productive
8 harmony between people and nature. Both statutes promote environmental
9 values and goals and create comprehensive review and planning processes
10 to advance these goals. The growth management act provides a mechanism
11 for local governments to comprehensively plan for and manage growth,
12 identify appropriate land uses, provide for public facilities, and
13 protect the environment. The state environmental policy act requires
14 state and local government to consider the environmental consequences
15 of their decisions and avoid or mitigate negative impacts.

16 The legislature declares that the state environmental policy act
17 and the growth management act are complementary laws and can be
18 integrated in such a way as to achieve both efficient land use decision
19 making and thorough consideration of environmental impacts. The

1 legislature further finds that environmental analysis of comprehensive
2 land use plans (a) enhances the effectiveness of growth management
3 planning by informing decision makers and the public on the
4 environmental choices and consequences of proposed plans and
5 development regulations, and (b) can facilitate faster and more
6 efficient review of site-specific development projects. Where detailed
7 environmental analysis has occurred during comprehensive plan
8 development, duplicating this analysis may be avoided by concentrating
9 the environmental analysis of individual projects on those elements
10 that were not previously addressed or that need further analysis.

11 (2) The purpose of this act is to encourage integration of the
12 processes and documents associated with the growth management act and
13 the state environmental policy act and provide explicit authority for
14 jurisdictions planning under chapter 36.70A RCW to combine these
15 procedures and documents. It is also the intent of the legislature to
16 gather information on how enhanced environmental review of plans,
17 policies, and rules adopted under chapter 36.70A RCW may be useful for
18 establishing guidelines for reduced environmental review of projects
19 that are consistent with such plans, policies, and rules.

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

22 (1) For plans, policies, and rules adopted pursuant to chapter
23 36.70A RCW, the preferred method of complying with the requirements of
24 this chapter is through the complete integration of procedures and
25 documents required under chapter 36.70A RCW with the procedures and
26 documents required under this chapter, including applicable public
27 participation requirements. For jurisdictions that choose to integrate
28 these procedures and documents, a comprehensive plan or development
29 regulation will also constitute the necessary documentation required
30 under this chapter for such an action if the comprehensive plan is
31 accompanied by the following elements:

- 32 (a) A concise analysis of the main alternatives considered;
33 (b) Comments and responses on the draft plan or regulation;
34 (c) A summary and fact sheet that focuses on comparing the
35 environmental impacts and analyzing the environmental issues and
36 choices, as required under RCW 43.21C.030; and

1 (d) Appropriate technical information and other materials that
2 provide the basis for the elements of the comprehensive plan or
3 development regulations.

4 (2) The combined approach outlined in subsection (1) of this
5 section may be used for general comprehensive plans, for subarea plans,
6 or specific development regulations. The level of detail required for
7 the elements in subsection (1) (a) through (d) of this section shall
8 correspond to the level of detail of the plan, policy, or rule being
9 adopted under chapter 36.70A RCW.

10 (3) The department of ecology shall adopt rules consistent with
11 these policies. These rules shall provide further guidance on how such
12 integration is to be achieved. The rules shall be limited to guidance
13 on environmental review procedures related to growth management plans,
14 policies, and regulations.

15 (4) Nothing in this section affects the legal sufficiency of plans,
16 policies, regulations, or environmental documents that have already
17 been adopted or will be adopted using separate processes that are
18 permissible under this chapter.

19 **Sec. 3.** RCW 43.21C.034 and 1993 c 23 s 1 are each amended to read
20 as follows:

21 Lead agencies are authorized to use in whole or in part existing
22 environmental documents for new project or nonproject actions, if the
23 documents adequately address environmental considerations set forth in
24 RCW 43.21C.030. The prior proposal or action and the new proposal or
25 action need not be identical, but must have similar elements that
26 provide a basis for comparing their environmental consequences such as
27 timing, types of impacts, alternatives, or geography. The use of
28 existing environmental documents prepared to comply with this chapter
29 is encouraged in jurisdictions planning under chapter 36.70A RCW for
30 environmental review of projects that are consistent with adopted
31 plans, policies, or regulations. The lead agency shall independently
32 review the content of the existing documents and determine that the
33 information and analysis to be used is relevant and adequate. If
34 necessary, the lead agency may require additional documentation to
35 ensure that all environmental impacts have been adequately addressed.

36 Project level review under this chapter should not duplicate
37 environmental review that occurs through development of comprehensive
38 plans and development regulations under chapter 36.70A RCW. Site-

1 specific environmental review of proposed projects should: Be used to
2 determine consistency with growth management plans and regulations;
3 provide prompt and coordinated review by agencies, tribes, and the
4 public in compliance with environmental laws and other plans, including
5 environmental review and mitigation for site-specific project impacts
6 that have not been considered and addressed at the plan level; and
7 ensure accountability by the jurisdiction to applicants and the public
8 for requiring and implementing mitigation measures.

9 NEW SECTION. **Sec. 4.** (1) The department of ecology and the
10 department of community, trade, and economic development shall conduct
11 a review of state environmental policy act compliance of comprehensive
12 plans adopted pursuant to chapter 36.70A RCW. The review shall
13 consider the level of detail of both the comprehensive plans and their
14 associated environmental impact statements. The review shall also
15 include an assessment of the extent to which these comprehensive plans
16 and environmental impact statements could be used for environmental
17 analysis of site-specific projects that are consistent with the
18 comprehensive plans. As part of the review, the departments shall seek
19 information from jurisdictions on the types of projects that are
20 considered to be consistent with the adopted comprehensive plan.

21 (2) No later than December 1, 1994, the departments shall prepare
22 a report to the legislature summarizing the results of the review in
23 subsection (1) of this section and providing recommendations on how
24 enhanced environmental review of comprehensive plans may be the basis
25 for jurisdictions adopting reduced state environmental policy act
26 requirements for projects that are consistent with these plans.

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