

WAC 468-12-510 Public notice procedures. (1) The department shall inform the public of actions requiring notice and invitation to comment under WAC 197-11-502 and 197-11-510 in the following manner:

(a) For a determination of nonsignificance (DNS) or a mitigated DNS, issued under WAC 197-11-340(2) and 197-11-350 and requiring public notice under WAC 197-11-502 (3)(b); by (i) sending a copy of the DNS and the letter of transmittal sent to the department of ecology pursuant to WAC 197-11-508, to a newspaper of general circulation in the county, city, or general area where the proposed action is located, agencies with jurisdiction, affected Indian tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal; and (ii) any other agency, organization, or member of the public who has made a specific request for information on the proposed action in writing to the department. Each person requesting information shall submit such request individually in writing by mail.

(b) For a determination of significance (DS) issued under WAC 197-11-360 and requiring public notice under WAC 197-11-502 (4)(a); by (i) publishing notice in a newspaper of general circulation in the county, city, or general area where the proposed action is located; (ii) sending a copy of the DS to any agencies with jurisdiction, affected Indian tribes, and any other agencies, members of the public, and organizations who have commented on the proposed action in writing to the department or expressed in writing to the department an interest in the proposed action; and (iii) using one or more of the other methods specified in WAC 197-11-510 (1)(a), (d), (e), and (f), as selected by the department;

(c) For a draft EIS issued under WAC 197-11-455 and requiring public notice under WAC 197-11-455(5) and for a public hearing held under WAC 197-11-535 and requiring public notice under WAC 197-11-502(6); by (i) publishing notice in a newspaper of general circulation in the county, city, or general area where the proposed action is located; (ii) sending notice of the availability of the draft EIS or the notice of the hearing to any agencies with jurisdiction, affected Indian tribes, and any other agencies, members of the public, and organizations who have commented on the proposed action in writing to the department or expressed in writing to the department an interest in the proposed action; and (iii) using one or more of the other methods specified in WAC 197-11-510 (1)(a), (d), (e), and (f), as selected by the department;

(d) For a final EIS issued under WAC 197-11-460 the document shall be sent to (i) the department of ecology (two copies), (ii) all agencies with jurisdiction, (iii) all agencies who commented on the draft EIS, and (iv) anyone requesting a copy of the final EIS. (As determined by the department a fee may be charged for the final EIS in accordance with WAC 197-11-504);

(e) For a notice of administrative review issued and requiring public notice pursuant to WAC 468-12-680:

(i) By publishing notice on the same day of each week for two consecutive weeks in a legal newspaper of general circulation in the area where the proposed action is located;

(ii) By filing notice of such action with the department of ecology in Olympia prior to the date of the last newspaper publication, and by one of the following methods which shall be accomplished prior to the date of the last newspaper publication:

(A) Mailing to the latest recorded real property owners, as shown by the records of the county treasurer, who share a common boundary

line with the property upon which the project is proposed through United States mail, first class, postage prepaid; or

(B) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed;

(iii) The form of such notice of administrative review shall be substantially as follows:

NOTICE OF ADMINISTRATIVE REVIEW
WASHINGTON STATE DEPARTMENT OF TRANSPORTATION

NOTICE IS GIVEN UNDER SEPA, CHAPTER 43.21C RCW, WAC 197-11-680, 468-12-680, AND 468-12-510, THAT THE WASHINGTON STATE DEPARTMENT OF TRANSPORTATION TOOK THE ACTION DESCRIBED IN 2. BELOW ON

1. ANY ACTION TO SET ASIDE, ENJOIN, REVIEW, OR OTHERWISE CHALLENGE SUCH ACTION ON THE GROUNDS OF NONCOMPLIANCE WITH THE PROVISIONS OF CHAPTER 43.21C RCW (STATE ENVIRONMENTAL POLICY ACT) SHALL BE COMMENCED BY ADMINISTRATIVE REVIEW, ON OR BEFORE A PARTY DESIRING JUDICIAL REVIEW OF THE DECISION RESULTING FROM SUCH ADMINISTRATIVE REVIEW SHALL COMMENCE SUCH APPEAL WITHIN: (A) NINETY DAYS OF THE ISSUANCE OF THIS NOTICE OF ACTION OR (B) THIRTY DAYS AFTER SERVICE OF THE FINAL DECISION OF THE DEPARTMENT, WHICHEVER IS LATER.

2. DESCRIPTION OF AGENCY ACTION:
.....
.....

3. DESCRIPTION OF PROPOSAL:
.....
.....

4. LOCATION OF PROPOSAL:
.....
.....

5. TYPE OF ENVIRONMENTAL REVIEW UNDER SEPA:
.....

6. DOCUMENTS MAY BE EXAMINED DURING REGULAR BUSINESS HOURS AT:
.....

7. THIS NOTICE IS FILED BY, P.E.
PROJECT DEVELOPMENT ENGINEER
DATE:

THIS DETERMINATION MAY BE APPEALED IN WRITING TO:
PROJECT DEVELOPMENT ENGINEER; TRANSPORTATION BUILDING, MAILSTOP KF-01; OLYMPIA, WA 98504
NO LATER THAN

YOU SHOULD BE PREPARED TO MAKE SPECIFIC FACTUAL OBJECTIONS. CONTACT LOCATION DESIGN ENGINEER; TRANSPORTATION BUILDING; MAILSTOP KF-01; OLYMPIA, WA 98504; PHONE (360) 753-6141 TO READ OR ASK ABOUT THE PROCEDURES FOR SEPA APPEALS.

(2) If the department selects WAC 197-11-510 (1)(a), posting the property, as a public notice procedure, it shall do so by posting notices at major road and pedestrian intersections along the project.

(3) SEPA notices may be combined with other department notices.

[Statutory Authority: RCW 43.21C.120 and chapter 197-11 WAC. WSR 88-01-029 (Order 111), § 468-12-510, filed 12/10/87; WSR 84-19-030 (Order 90), § 468-12-510, filed 9/14/84.]