

WHAT IS THE SEPA PROCESS?

WHAT IS SEPA?

The term SEPA stands for State Environmental Policy Act, Chapter 197-11 Washington Administrative Code (WAC) adopted by our State Legislature in 1971. SEPA was designed to ensure the following:

- Environmental values are considered during decision making by state and local agencies
- Adequate and timely environmental information is gathered and provided to decision makers
- Public involvement is included in the decision making process.

SEPA requires the identification and evaluation of probable impacts to all elements of our built and natural environment.

WHEN DOES THE SEPA PROCESS APPLY TO MY PROJECT?

Not all projects require SEPA review. The SEPA rules list types of projects that have been exempted from SEPA requirements because they are unlikely to have a significant adverse environmental impact or were designated exempt by the legislature.

Below are examples of projects exempt from SEPA review. For a complete list of categorical exemptions see WAC 197-11-800 and Section 15.06 Mount Vernon Municipal Code (MVMC).

- Residential dwellings up to 10 units, cumulative.
- Agricultural buildings up to 30,000 square feet, cumulative.
- Office, school, commercial, recreational, service or storage buildings up to 12,000 square feet.
- Parking lots up to 40 spaces, cumulative.
- Subdivision of land into 9 lots/tracts/ect or less.
- Fills or excavations up to 500 cumulative cubic yards.

WHAT IS AN ENVIRONMENTAL CHECKLIST?

If your project triggers SEPA review a “SEPA Checklist” will need to be completed. This checklist contains questions about the natural environment (earth, air, water, etc.) and the built environment (traffic, schools, noise, etc.) of your site.

WHAT IS A THRESHOLD DETERMINATION?

When SEPA review is required for a project, the responsible official must decide if the project is like to have a “probable significant adverse impact” on the environment. This decision is called a “threshold determination”.

- If a project may have a probable significant adverse impact, a determination of significance (DS) is issued, and an environmental impact statement (EIS) is required.
- If the project will not have a probable significant adverse impact, a determination of non-significance (DNS) is issued.
- During the threshold determination process, City staff may identify mitigation measure(s) that can be taken to reduce impacts to the environment. When this happens the responsible official may issue a mitigated determination of non-significance (MDNS). Mitigation measures become conditions of the permit and are implemented during construction and/or before final approval.

HOW IS A SEPA THRESHOLD DETERMINATION MADE?

When making a threshold determination, the City's SEPA responsible official (official) will review the SEPA checklist submitted, other information available through the City or County such as Critical Area Maps and any environmental studies performed on neighboring properties. The official will decide which elements of the proposal pose potential significant adverse impacts and determine which departments and agencies have the appropriate technical expertise to comment on these issues.

The official may request additional information and studies where warranted. Commonly requested studies include wildlife use and habitat, stream characteristics, wetland delineation and mitigation, cultural resources, water quality and noise.

Mitigation measures may be developed and placed as a condition on the proposal to avoid, minimize or reduce impacts. Mitigation measures must be reasonable, must be able to be accomplished, and must be based on existing City regulatory plans and policies.

HOW LONG DOES THE SEPA PROCESS TAKE?

A SEPA review takes a minimum of 60 days and in most cases longer due to need for additional information, new information provided by public comments letters or appeals.

WHAT IS AN EIS?

An Environmental Impact Statement (EIS) is a document designed to provide decision makers and the public with impartial information about a project and analyze alternatives to the proposal, including ways to avoid or minimize adverse impacts or to enhance environmental quality. The SEPA rules stress that an EIS should be concise and focused on the significant issues.

WHAT IS THE EIS PROCESS?

After publication of a Determination of Significance (DS), there is a comment period, referred to as "Scoping". Scoping is the first step in the EIS process. Scoping provides an opportunity for the public and technical experts to give input to the agency about what they believe should be included in the EIS. Based on comments received, reasonable alternatives are identified and a plan is developed to investigate each significant impact.

The EIS contains a description of the proposal and the alternatives, including a no-action alternative. For each element of the environment in the scope (air, water, earth, etc.) there is a description of existing conditions, significant adverse impacts, anticipated suggested mitigation measures, and unavoidable impacts. Technical studies may be included in an appendix to the EIS.

A draft EIS (DEIS) is published first, and citizens, agencies, and tribes are invited to comment on this document's adequacy during a comment period. Comment letters are incorporated in the final EIS (FEIS), along with a written response to each letter. Additional analysis may also be included in the FEIS, based on comments received. The FEIS is published, and the decision-makers use both the DEIS and FEIS during the decision making process.

RESPONSIBLE OFFICIAL

The City's SEPA Responsible Official is:

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SEPA REVIEW PROCESS

(the flow chart below was copied from the SEPA Handbook, WDOE Publication #98-114)

