

# **State Environmental Policy Act (SEPA) Overview**

**Tacoma City Council Study Session  
July 18, 2017**

City of Tacoma  
Planning and Development Services



# SEPA Adoption

SEPA was adopted May 10, 1971

## *After*

- Clean Air Act (1963)
- NEPA (1970)

## *Before*

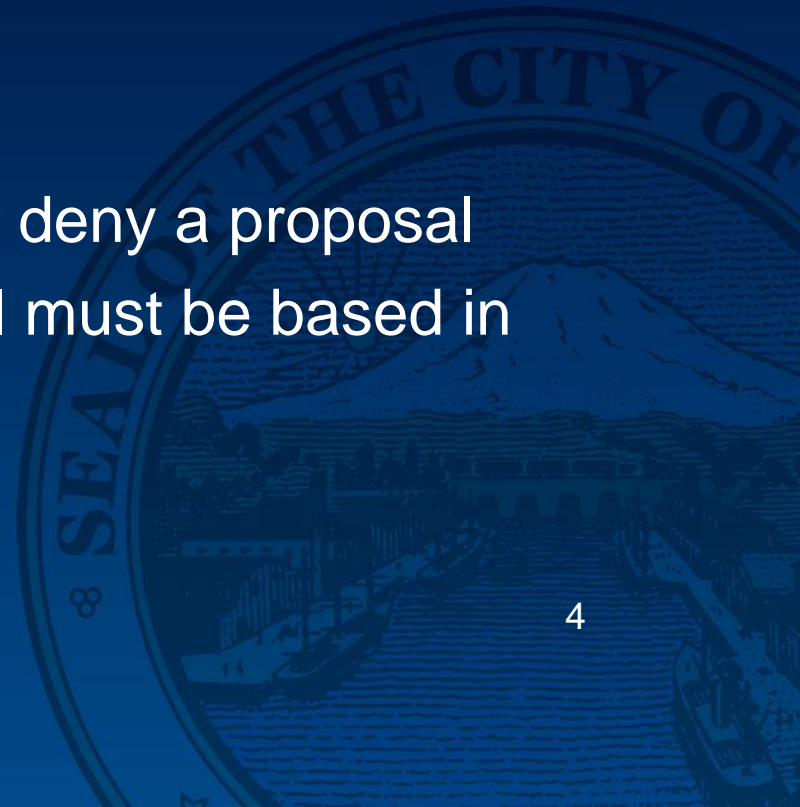
- Shoreline Management Act (1972)
- Clean Water Act (1972)
- Growth Management Act (1990)
- Critical Areas Ordinance (1990)

# What is SEPA?

- State Code RCW 43.21c, implementing rules at WAC 197-11
- A tool to assess possible environmental impacts from a government decision (e.g., a building permit)
- Agency making the decision is responsible for doing the environmental analysis
- Review and commenting from other agencies and the public
- Can be used to modify, condition, or deny a proposal when impacts are identified

# SEPA is *not*:

- A permit – a proposal still has to meet all building codes and regulations
  - SEPA conditions only carry weight when they are applied to a permit
- A way to arbitrarily change or deny a proposal
  - any changes to a proposal must be based in adopted policy



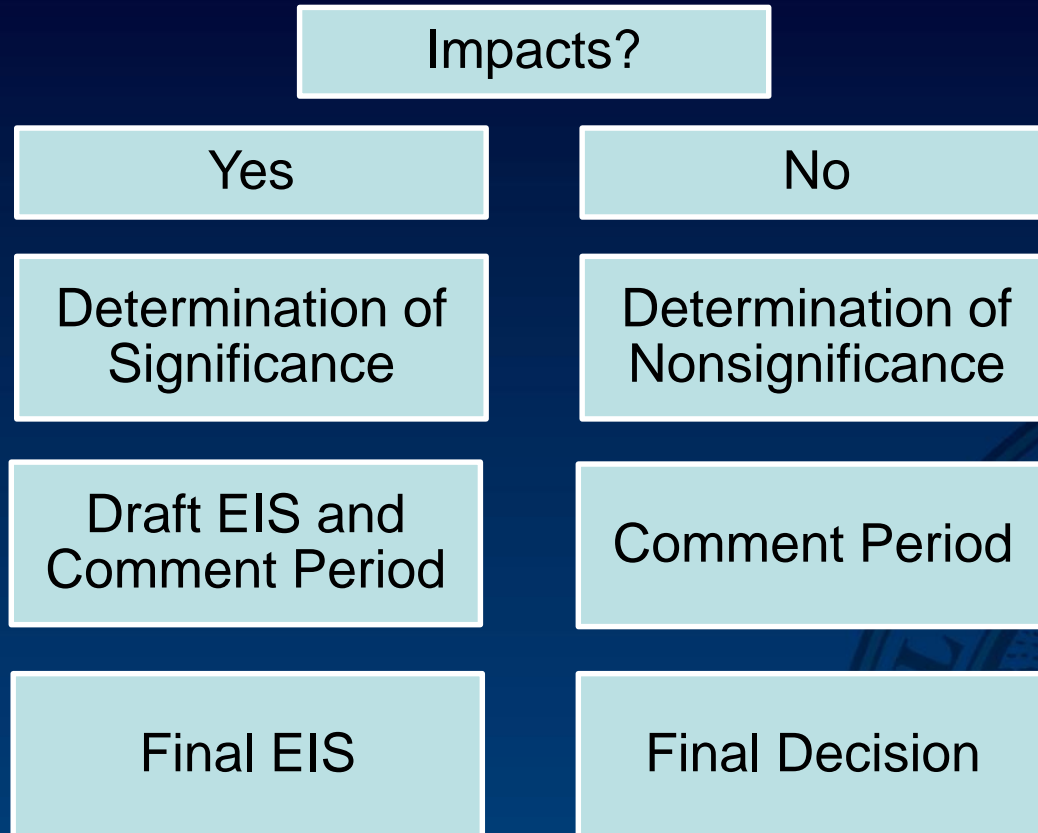
# SEPA flow chart



Make Threshold Determination:

Are significant adverse impacts likely?

# SEPA flow chart





# Scope of SEPA Review

Based upon:

- The scale of the project
- How the project is addressed by existing regulations
- The likelihood of impacts



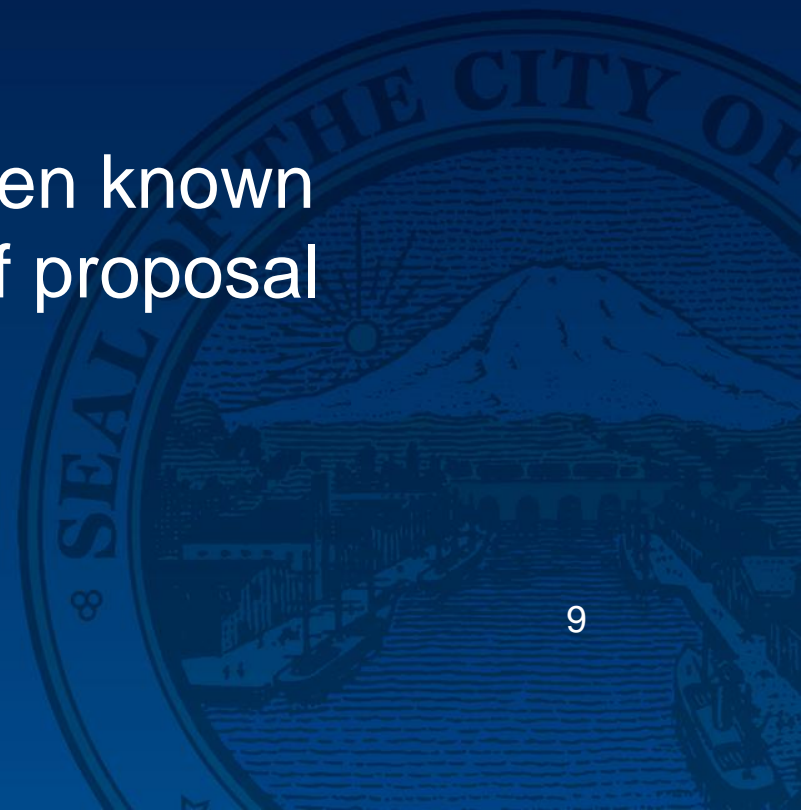
# Threshold Determination

- If the project has no impacts, or if the impacts are addressed by existing development code, a Determination of Nonsignificance (DNS) is issued.
- If the project can be mitigated by placing conditions on the project, a Preliminary Mitigated Determination of Nonsignificance (MDNS) is issued.
- If there are likely to be significant adverse impacts, the lead agency will require a full EIS.



# Impacts

- May vary based on location
- Are quantitative and cumulative
- Determined/reviewed given known conditions and breadth of proposal



# Impacts

- To environmentally sensitive or special areas
- To endangered or threatened species or their habitat
- To human health or safety
- In conflict with requirements for the protection of the environment

# Using *One Tacoma*

The City uses adopted policy to review a project under SEPA.

- Existing regulations and policies may provide adequate analysis of and mitigation for some or all of the specific adverse environmental impacts of the project.
- It may also mean that the proposal is not within the adopted goals and policies of the Comprehensive Plan, requiring more analysis and/or mitigation, conditions, or denial.

# Mitigation

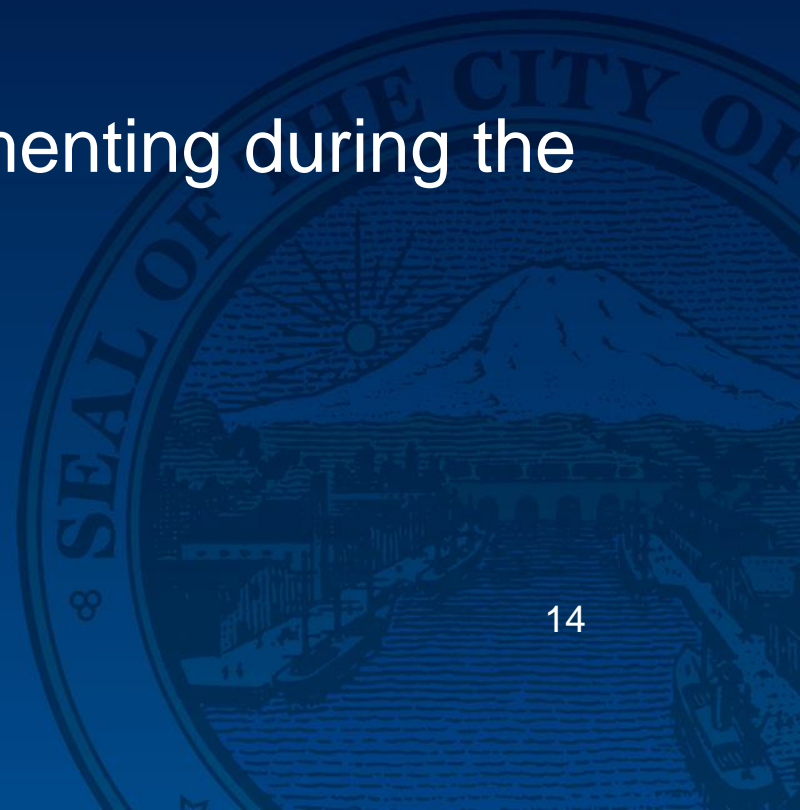
- Must be related to and address the identified impact
- Must be based on adopted policy, plans, rules or regulations
- Must be reasonable and capable of being accomplished

# Modifying SEPA Decisions

- Decision can be modified if project scope changes
- Prior decision can be adopted and/or amended to address project revisions
- Degree of project change (potential new unanalyzed impacts) determines if an Addendum or SEIS is warranted

# Appeals

- Follow the appeal process of the underlying agency decision
- Standing based on commenting during the notice period





# For More Information

- Washington State Department of Ecology
  - SEPA Handbook

