

## MANAGEMENT SUPPORT

### School Property

## STATE ENVIRONMENTAL POLICY ACT COMPLIANCE

The district accepts its responsibility, as described by the Washington state legislature in the State Environmental Policy Act, specifically Chapter 43.21C.

### ADOPTION BY REFERENCE.

In order to fulfill its responsibilities under the State Environmental Policy Act, the district adopts by reference the following sections or subsections of chapter 197-11 of the Washington Administrative Code.

WAC 197-11-040	Definitions
WAC 197-11-050	Lead agency
WAC 197-11-055	Timing of the SEPA process
WAC 197-11-060	Content of environmental review
WAC 197-11-070	Limitations on actions during SEPA process
WAC 197-11-080	Incomplete or unavailable information
WAC 197-11-090	Supporting documents
WAC 197-11-100	Information required of applicants
WAC 197-11-300	Purpose of this part
WAC 197-11-305	Categorical exemptions
WAC 197-11-310	Threshold determination required
WAC 197-11-315	Environmental checklist
WAC 197-11-330	Threshold determination process
WAC 197-11-335	Additional information
WAC 197-11-340	Determination of non-significance (DNS)
WAC 197-11-350	Mitigated DNS
WAC 197-11-360	Determination of significance (DS)/initiation of scoping
WAC 197-11-390	Effect of threshold determination
WAC 197-11-400	Purpose of EIS
WAC 197-11-402	General requirements
WAC 197-11-405	EIS types
WAC 197-11-406	EIS timing
WAC 197-11-408	Scoping
WAC 197-11-410	Expanded scoping (Optional)
WAC 197-11-420	EIS preparation
WAC 197-11-425	Style and size
WAC 197-11-430	Format
WAC 197-11-435	Cover letter or memo
WAC 197-11-440	EIS contents
WAC 197-11-442	Contents of EIS on non-project proposals
WAC 197-11-443	EIS contents when prior non-project EIS
WAC 197-11-444	Elements of the environment
WAC 197-11-448	Relationship to EIS to other considerations
WAC 197-11-450	Cost-benefit analysis
WAC 197-11-455	Issuance of DEIS
WAC 197-11-460	Issuance of FEIS

WAC 197-11-500	Purpose of this part
WAC 197-11-502	Inviting comment
WAC 197-11-504	Availability and cost of environmental documents
WAC 197-11-508	SEPA register
WAC 197-11-535	Public hearings and meetings
WAC 197-11-545	Effect of no comment
WAC 197-11-550	Specificity of comments
WAC 197-11-560	FEIS response to comments
WAC 197-11-570	Consulted agency costs to assist lead agency
WAC 197-11-600	When to use existing environmental documents
WAC 197-11-610	Use of NEPA documents
WAC 197-11-620	Supplemental environmental impact statement - procedures
WAC 197-11-625	Addenda - procedures
WAC 197-11-630	Adoption - procedures
WAC 197-11-635	Incorporation by reference - procedures
WAC 197-11-640	Combining documents
WAC 197-11-650	Purpose of this part
WAC 197-11-655	Implementation
WAC 197-11-660	Substantive authority and mitigation
WAC 197-11-680	Appeals
WAC 197-11-700	Definitions
WAC 197-11-702	Act
WAC 197-11-704	Action
WAC 197-11-706	Addendum
WAC 197-11-708	Adoption
WAC 197-11-710	Affected tribe
WAC 197-11-712	Affecting
WAC 197-11-714	Agency
WAC 197-11-716	Applicant
WAC 197-11-718	Built environment
WAC 197-11-720	Categorical exemption
WAC 197-11-722	Consolidated appeal
WAC 197-11-724	Consulted agency
WAC 197-11-726	Cost-benefit analysis
WAC 197-11-728	County/city
WAC 197-11-730	Decision maker
WAC 197-11-732	Department
WAC 197-11-734	Determination of non-significance (DNS)
WAC 197-11-736	Determination of significance (DS)
WAC 197-11-738	EIS
WAC 197-11-740	Environment
WAC 197-11-742	Environmental checklist
WAC 197-11-744	Environmental document
WAC 197-11-746	Environmental review
WAC 197-11-748	Environmentally sensitive area
WAC 197-11-750	Expanded scoping
WAC 197-11-752	Impacts
WAC 197-11-754	Incorporation by reference
WAC 197-11-756	Lands covered by water
WAC 197-11-758	Lead agency
WAC 197-11-760	License
WAC 197-11-762	Local agency
WAC 197-11-764	Major action

WAC 197-11-766	Mitigated DNS
WAC 197-11-768	Mitigation
WAC 197-11-770	Natural environment
WAC 197-11-772	NEPA
WAC 197-11-774	Non-project
WAC 197-11-776	Phased review
WAC 197-11-778	Preparation
WAC 197-11-780	Private project
WAC 197-11-782	Probable
WAC 197-11-784	Proposal
WAC 197-11-786	Reasonable alternative
WAC 197-11-788	Reasonable official
WAC 197-11-790	SEPA
WAC 197-11-792	Scope
WAC 197-11-793	Scoping
WAC 197-11-794	Significant
WAC 197-11-796	State agency
WAC 197-11-797	Threshold determination
WAC 197-11-799	Underlying governmental action
WAC 197-11-800	Categorical exemptions
WAC 197-11-880	Emergencies
WAC 197-11-890	Petitioning DOE to change exemptions
WAC 197-11-900	Purpose of this part
WAC 197-11-912	Procedures of consulted agencies
WAC 197-11-916	Application to ongoing actions
WAC 197-11-918	Lack of agency procedures
WAC 197-11-920	Agencies with environmental expertise
WAC 197-11-922	Lead agency rules
WAC 197-11-924	Determining the lead agency
WAC 197-11-926	Lead agency for governmental proposals
WAC 197-11-928	Lead agency for public and private proposals
WAC 197-11-930	Lead agency for private projects with one agency with jurisdiction
WAC 197-11-932	Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city
WAC 197-11-934	Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies
WAC 197-11-936	Lead agency for private projects requiring licenses from more than one state agency
WAC 197-11-938	Lead agencies for specific proposals
WAC 197-11-940	Transfer of lead agency status to a state agency
WAC 197-11-942	Agreements on lead agency status
WAC 197-11-944	Agreements on division of lead agency duties
WAC 197-11-946	DOE resolution of lead agency disputes
WAC 197-11-948	Assumption of lead agency status
WAC 197-11-960	Environmental checklist
WAC 197-11-965	Adoption notice
WAC 197-11-970	Determination of non-significance (DNS)
WAC 197-11-980	Determination of significance and scoping notice (DS)
WAC 197-11-985	Notice of assumption of lead agency status
WAC 197-11-990	Notice of action

#### ADDITIONAL DEFINITIONS

In addition to those definitions contained within WAC 197-11-700 to 197-11-799, the following terms shall have the following meanings, unless the context indicates otherwise:

- A. District. District means the Port Townsend School District No. 50, Jefferson County, state of Washington.
- B. SEPA Rules. SEPA Rules means WAC Chapter 197-11 adopted by the Council on Environmental Policy.

The policies and goals set forth herein are supplementary to those in the existing authorization of the district. The district establishes the following criteria as the basis for exercising authority relative to environmental issues. The district shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

- A. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations.
- B. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings.
- C. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences.
- D. Preserve important historic, cultural, and natural aspects of our national heritage.
- E. Maintain, wherever possible, an environment which supports diversity and variety of individual choice.
- F. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities.
- G. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

The district recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

#### **CRITICAL AREAS**

In its actions, the district shall respect "critical areas" and their modified exemption criteria which have been adopted and displayed by local governments pursuant to The Growth Management Act, Chapter 36.70A RCW.

Actions which shall be located wholly or partially within a critical area are to be treated no differently than other actions under these guidelines. A threshold determination shall be made for all such actions, and an EIS shall not be automatically required for a proposal merely because it is proposed for location in a critical area.

#### **USE OF EXEMPTIONS**

To determine whether or not a proposal is exempt from SEPA, the district shall comply with the square footage and parking space threshold levels adopted by the city or county under WAC 197-

11-800 (1). To determine whether or not a proposal is exempt, the district shall ascertain the total scope of the proposal and the governmental licenses required. If a proposal includes a series of actions, physically or functionally related to each other, some of which are exempt and some which are not, the proposal is not exempt and the district must complete a threshold determination.

If a proposal includes both exempt and nonexempt actions, exempt actions may be authorized with respect to the proposal prior to compliance with the procedural requirements of these guidelines subject to the following limitations:

- A. No nonexempt action shall be authorized prior to compliance with procedural and substantive requirements;
- B. No action shall be authorized which shall irrevocably commit the district to approve or authorize an action;
- C. The district may withhold approval of an exempt action which would lead to modification of the physical environment, when such modifications would serve no purpose if later approval of a nonexempt action is not secured; and
- D. The district may withhold approval of exempt actions which would lead to substantial financial expenditures by a private applicant which would serve no purpose if later approval of a nonexempt action is not secured.

#### LEAD AGENCY DETERMINATION AND RESPONSIBILITIES

The district is lead agency for the proposals it initiates and is responsible for compliance with SEPA regulations.

#### ENVIRONMENTAL CHECKLIST

Except as provided in WAC 197-11-315 the school district must complete an environmental checklist (WAC 197-11-960) for any proposal that meets the definition of action (WAC 197-11-709), and is not categorically exempted in WAC 197-11-800 and 880. This checklist shall be the basis for the threshold determination.

For all proposals for which the district is the lead agency, the responsible official of the district shall make the threshold determination pursuant to the criteria and procedures of WAC 197-11-300 through 360.

#### PREPARATION OF EIS

The draft and final EIS shall be prepared either by the responsible official or his/her designee or a consultant retained by the school district.

In the event that an EIS is to be prepared by a consultant, the responsible official shall assure that the EIS is prepared in a responsible manner and with appropriate methodology. The responsible official shall direct the areas of research and examination to be undertaken, as well as the organization of the resulting document.

No matter who participates in the preparation of an EIS, it must be approved by the responsible official prior to distribution.

## **PUBLIC NOTICE**

The district will establish a mailing list for those interested citizens who wish to be informed regarding documents the district issues that require public notice. If deemed appropriate by the responsible official, the school district will place appropriate notice in the paper of general circulation which serves the area.

## **DESIGNATION OF OFFICIAL TO PERFORM CONSULTED AGENCY RESPONSIBILITIES FOR THE DISTRICT**

The superintendent or his designee shall be responsible for the preparation of the written comments for the district in response to a consultation request prior to a threshold determination, participation in pre-draft consultation or reviewing a draft EIS.

The official designated in paragraph 1 shall be responsible for compliance by the district with WAC 197-11-400 through 460 wherever the district is a consulted agency, and he/she is authorized to develop operating procedures which shall ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the district.

## **DESIGNATION OF RESPONSIBLE OFFICIAL**

For those proposals for which the district is the lead agency, the responsible official shall be the superintendent or his/her designee. The responsible official shall make the threshold determination, supervise preparation of any required EIS and perform any other functions assigned to the "lead agency".

## **FEES**

No fee shall be collected by the district for performing its duties as a consulted agency.

The district may charge any person for copies of any document prepared pursuant to the requirements of this ordinance and for mailing thereof, in a manner provided by RCW Chapter 42.17.

## **PUBLICATION OF NOTICE**

The district may publish notice of action pursuant to RCW 43.21C.080 for any action to establish a time limit for judicial appeals.

The form of the notice shall be as prescribed by the department of ecology and/or substantially in the form and manner set forth in RCW 43.21C.080. The notice shall be published by the district secretary pursuant to RCW 43.21C.080.

## **SEVERABILITY**

If any provision of these regulations or its application to any person or circumstances is held invalid, the remainder of these regulations or the application of the provision to other persons or circumstances shall not be affected.

## **EFFECTIVE DATE**

These guidelines shall become effective on **January 25, 1999**.

Legal References:	RCW 43.21C	State Environmental Policy
	WAC 197-11	State Environmental Policy Act (SEPA) Rules
Management Resources:	<i>Policy News</i> ,	SEPA policy requires periodic review and
	December 1998	understanding

**Date: 10/11/84; 2/9/98; 1/25/99; 11/24/03; 1/24/11.**

**PORT TOWNSEND SCHOOL DISTRICT NO. 50**