

6890

Management Support

Policies and Authority

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

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

448: Relationship to EIS to other considerations
450: Cost-benefit analysis
455: Issuance of DEIS
460: Issuance of FEIS
500: Purpose of this part
502: Inviting comment
504: Availability and cost of environmental documents
508: SEPA register
535: Public hearings and meetings
545: Effect of no comment
550: Specificity of comments
560: FEIS response to comments
570: Consulted agency costs to assist lead agency
600: When to use existing environmental documents
610: Use of NEPA documents
620: Supplemental environmental impact statement - procedures
625: Addenda - procedures
630: Adoption - procedures
635: Incorporation by reference - procedures
640: Combining documents
650: Purpose of this part
655: Implementation
660: Substantive authority and mitigation
680: Appeals
700: Definitions
702: Act
704: Action
706: Addendum
708: Adoption
710: Affected tribe
712: Affecting
714: Agency
716: Applicant
718: Built environment
720: Categorical exemption
722: Consolidated appeal
724: Consulted agency
726: Cost-benefit analysis
728: County/city
730: Decision maker
732: Department
734: Determination of nonsignificance (DNS)
736: Determination of significance (DS)
738: EIS

740: Environment
742: Environmental checklist
744: Environmental document
746: Environmental review
748: Environmentally sensitive area
750: Expanded scoping
752: Impacts
754: Incorporation by reference
756: Lands covered by water
758: Lead agency
760: License
762: Local agency
764: Major action
766: Mitigated DNS
768: Mitigation
770: Natural environment
772: NEPA
774: Nonproject
776: Phased review
778: Preparation
780: Private project
782: Probable
784: Proposal
786: Reasonable alternative
788: Reasonable official
790: SEPA
792: Scope
793: Scoping
794: Significant
796: State agency
797: Threshold determination
799: Underlying governmental action
800: Categorical exemptions
880: Emergencies
890: Petitioning DOE to change exemptions
900: Purpose of this part
912: Procedures of consulted agencies
916: Application to ongoing actions
918: Lack of agency procedures
920: Agencies with environmental expertise
922: Lead agency rules
924: Determining the lead agency
926: Lead agency for governmental proposals
928: Lead agency for public and private proposals

930: Lead agency for private projects with one agency with jurisdiction
932: Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city
934: Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies
936: Lead agency for private projects requiring licenses from more than one state agency
938: Lead agencies for specific proposals
940: Transfer of lead agency status to a state agency
942: Agreements of lead agency status
944: Agreements on division of lead agency duties
946: DOE resolution of lead agency disputes
948: Assumption of lead agency status
960: Environmental checklist
965: Adoption notice
970: Determination of non-significance (DNS)
980: Determination of significance and scoping notice (DS)
985: Notice of assumption of lead agency status
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 West Valley School District No.208, Yakima County, state of Washington.

- B. SEPA Rules. SEPA Rules means Chapter 197-11 WAC adopted by the Council on Environmental Policy.

Substantive Authority

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; and
- 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.

Environmentally Sensitive 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 WAC 197-11-908.

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 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;
- B. No action shall be authorized which shall irrevocably commit the district to approve or authorize a nonexempt action;
- C. The district may withhold approval of an exempt action which would lead to modification of the physical
- D. environment, when such modifications would serve no purpose if later approval of a nonexempt action is not secured; and

- E. 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.

Environmental Checklist

Except as provided in WAC 197-11-315 the school district must complete an environmental checklist (WAC197-11-960) 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 Chapter 42.56 RCW

Notice/Statute of Limitations

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 as of 12/98.

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