

**EAST WENATCHEE WATER DISTRICT**  
**RESOLUTION 457**  
**STATE ENVIRONMENTAL POLICY ACT IMPLEMENTATION**

WHEREAS the East Wenatchee Water District desires to be its own SEPA lead agency on District related projects; and

WHEREAS the Board of Commissioners have directed the manager to develop and implement SEPA policies and procedures for the District in consultation with the District Engineering and Legal Consultants;

NOW THEREFORE the District's Board of Commissioners hereby adopt the policies and procedures for implementation of the State Environmental Policy Act as follows:

**ARTICLE I. General Provisions – Initiation of Process**

**I. Authority**

The District adopts this resolution under the provisions of the State Environmental Policy Act (SEPA), RCW 43.21C.120, and the SEPA rules, WAC 197-11-904. This resolution contains the District's SEPA procedures and policies. The SEPA rules, WAC Chapter 197-11, must be used in conjunction with this resolution.

**II. Purpose and adoptions by reference**

This article contains the basic requirements that apply to the SEPA process. The District adopts the following sections of WAC chapter 197-11 by reference:

- 197-11-940 Definitions
- 197-11-050 Lead agency
- 197-11-055 Timing of the SEPA process
- 197-11-060 Content of environmental review
- 197-11-070 Limitations on actions during SEPA process
- 197-11-080 Incomplete or unavailable information
- 197-11-090 Supporting documents
- 197-11-100 Information required of applicants

**III. Designation of Responsible Official**

A. The District Manager shall be the responsible official.

B. For all proposals for which the District is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any required environmental impact statement (EIS), and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA rules that were adopted by reference in WAC 173-806-020.

C. The District shall retain all documents required by the SEPA rules (WAC Chapter 197-11) and make them available in accordance with RCW Chapter 42.17.

**IV. Agency Compliance**

The District adopts the following WAC sections by reference, as supplemented by WAC 173-806-405 through 173-806-043:

- 197-11-900 Purpose of this part
- 197-11-902 Agency SEPA policies
- 197-11-916 Application to ongoing actions
- 197-11-920 Agencies with environmental expertise

- 197-11-922 Lead agency rules
- 197-11-924 Determining the lead agency
- 197-11-926 Lead agency for governmental proposals
- 197-11-938 Lead agency for specific proposals
- 197-11-940 Transfer of lead agency status to a State agency
- 197-11-942 Agreements on lead agency status
- 197-11-944 Agreements on division of lead agency duties
- 197-11-946 DOE resolution of lead agency disputes
- 197-11-948 Assumption of lead agency status

## V. Forms

The District adopts the following WAC forms and sections by reference:

- 197-11-960 Environmental checklist
- 197-11-965 Adoption notice
- 197-11-970 Determination of Nonsignificance (DNS).
- 197-11-980 Determination of Significance and scoping notice (DS)
- 197-11-985 Notice of assumption of lead agency status
- 197-11-990 Notice of action

## ARTICLE II. Categorical Exemptions and Threshold Determination

### I. Purpose and adoptions by reference

This article contains the rules for deciding whether a proposal has a “probable significant, adverse environmental impact” requiring an environmental impact statement (EIS) to be prepared. This chapter also contains rules for evaluating the impacts of proposals not requiring an EIS. The District adopts the following WAC sections by reference, and as supplemented below:

- 197-11-300 Purpose of this part
- 197-11-305 Categorical exemptions
- 197-11-310 Threshold determination required
- 197-11-315 Environmental checklist
- 197-11-330 Threshold determination process
- 197-11-335 Additional information
- 197-11-340 Determination of Nonsignificance (DNS)
- 197-11-350 Mitigated DNS
- 197-11-360 Determination of Significance (DS) / initiation of scoping
- 197-11-390 Effect of threshold determination

### II. Mitigated DNS

As provided in this article and in WAC 197-11-350, the responsible official may issue a DNS based on conditions attached to the proposal by the responsible official or on changes to, or clarification of, the proposal made by the proponent.

## ARTICLE III. EIS Preparation

### I. Purpose and adoptions by reference

This article contains the rules for preparing environmental impact statements. The District adopts the following WAC sections by reference, and as supplemented below:

- 197-11-400 Purpose of EIS
- 197-11-402 General requirements
- 197-11-405 EIS types
- 197-11-406 EIS timing
- 197-11-408 Scoping

- 197-11-420 EIS preparation
- 197-11-425 Style and size
- 197-11-430 Format
- 197-11-435 Cover letter or memo
- 197-11-440 EIS contents
- 197-11-442 EIS contents on nonproject proposals
- 197-11-443 EIS contents when prior nonproject EIS
- 197-11-444 Elements of the environment
- 197-11-448 Relationship of EIS to other considerations
- 197-11-450 Cost-benefit analysis
- 197-11-455 Issuance of draft EIS
- 197-11-460 Issuance of final EIS

## II. Who shall prepare

A. Preparation of Draft and Final EIS's (DEIS and FEIS) and draft and final Supplemental EIS's (SEIS) is responsibility of the responsible official of the District. Before the District issues an EIS, the responsible official shall be satisfied that it complies with this resolution and WAC Chapter 197-11.

B. The DEIS and FEIS or draft and final SEIS shall be prepared by District staff or by consultants selected by the District. If the responsible official requires an EIS for a proposal and determines that someone other than the District will prepare the EIS, the responsible official shall notify the applicant immediately after completion of the threshold determination. The responsible official shall also notify the applicant of the District's procedure for EIS preparation, billing procedures, financial arrangements for the consultant, and shall include approval process clarification for the DEIS and FEIS prior to distribution.

C. The District may require an applicant to provide information the District does not possess, including specific investigations which will aid the decision-making process. However, the applicant is not required to provide information that is not necessary to aid decision-makers or is not required under this resolution or that is being requested from another agency.

## III. Economic consideration

The following additional element is part of the environment for purposes of EIS content, but does not add to the criteria for threshold determinations or perform any other function or purpose under this resolution:

- A. Economy
- B. Cost-benefit analysis

## IV. Using existing documents

This section contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for the District's own environmental compliance. The District adopts the following WAC sections by reference:

- 197-11-600 When to use existing environmental documents
- 197-11-610 Use of NEPA documents
- 197-11-620 Supplemental Environmental Impact Statement – Procedures
- 197-11-625 Addenda – Procedures
- 197-11-630 Adoption – Procedures
- 197-11-635 Incorporation by reference – Procedures
- 197-11-640 Combining documents