

SEPA

A. Authority

By Resolution No. 17-74, the Board of Directors of Edmonds School District No. 15 hereby adopts, amends and restates, in their entirety, such policies and procedures as are required by, or are otherwise authorized by, the State Environmental Policy Act, Chapter 43.21C RCW (“SEPA”).

B. SEPA Procedures

Pursuant to RCW 43.21C.120 and WAC 197-11-904, the district adopts the rules and procedures for implementing SEPA set forth in Chapter 197-11 WAC, as amended by this policy.

C. Additional Definitions

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

District: “District” means the Edmonds School District No. 15, Snohomish County, state of Washington.

SEPA Rules: “SEPA Rules” means the rules and procedures for implementing SEPA adopted by this policy.

D. Categorical Exemptions

In determining whether a proposal is categorically exempt from SEPA, the district will comply with SEPA and the SEPA rules. If a proposed action is located in a City or County that has exercised its authority to adopt “flexible thresholds” pursuant to WAC 197-11-800(1), the district will consider such flexible thresholds in determining whether or not the proposed action is categorically exempt.

E. Lead Agency Determination and Responsibilities

The rules for deciding when and how an agency is the lead agency (WAC 197-11-050) are contained in Part Ten of the SEPA Rules (WAC 197-11-222 through WAC 197-11-948). Pursuant to WAC 197-11-926, the district is lead agency for the proposals it initiates and shall be the agency with main responsibility for complying with SEPA’s procedural requirements and shall be the only agency responsible for: (a) the threshold determination; and (b) preparation and content of environmental impact statements.

F. Environmental Checklist

Except as provided in WAC 197-11-315 the district must complete an environmental checklist (WAC 197-11-960) for any proposal that meets the definition of action (WAC 197-11-704), and is not categorically exempt. The checklist and any supporting documents will be the basis for the threshold determination. For all proposals for which the district is the lead agency, the responsible official of the district will make the threshold determination pursuant to the criteria and procedures of SEPA and the SEPA Rules.

G. Preparation of EIS

Preparation of the EIS is the responsibility of the lead agency, by or under the direction of the responsible official. No matter who participates in the preparation of the EIS, it is the EIS of the lead agency. The responsible official, prior to distributing an EIS, shall be satisfied that it complies with SEPA and the SEPA Rules. In the event that an EIS is to be prepared by a consultant, the responsible official will assure that the EIS is prepared in a professional manner and with appropriate interdisciplinary methodology. The responsible official will direct the areas of research and examination to be undertaken as a result of the scoping process, as well as the organization of the resulting document.

H. Public Notice

When the district is required to give public notice under the SEPA Rules, the district shall (a) post the property for site specific proposals; and (b) publish notice in a newspaper of general circulation in the county, city or general area where the proposal is located. In addition to the foregoing notice procedures, the responsible official may elect, in his or her discretion, to use such other reasonable methods to inform the public as are allowed by WAC 197-11-510.

I. Designation of Responsible Official

For those proposals for which the district is the lead agency, the responsible official will be the superintendent or his/her designee. The responsible official will make the threshold determination, supervise preparation of any required EIS and perform any other functions assigned to the "lead agency." The responsible official will also be responsible for compliance with the SEPA Rules wherever the district is a consulted agency, and he/she is authorized to develop operating procedures which will ensure that responses to consultation requests are prepared in a timely fashion and include data from all appropriate departments of the district.

J. Agency with Environmental Expertise

Pursuant to WAC 197-11-714, the district expands the list of "agencies with environmental expertise" set forth in WAC 197-11-920 to include the following:

Element of the Environment (WAC 197-11-444(2)(d)(iii)): Schools.

Agency with Environmental Expertise: Edmonds School District No. 15.

K. Fees

No fee will 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 policy and for mailing in a manner provided by Chapter 42.56 RCW.

L. Substantive SEPA Policies

Pursuant to RCW 43.21C.060 and WAC 197-11-902, the district adopts and designates the following policies for purposes of exercising SEPA's substantive authority, such as decisions to mitigate or reject proposals as a result of SEPA. Any district action on a proposal that is not exempt may be conditioned or denied under SEPA to mitigate the environmental impacts, subject to the limitations of WAC 197-11-660 and such other applicable laws. The district will use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources, and to that end, the district may:

Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surroundings;

Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable unintended consequences;

Preserve important historic, cultural, and natural aspects of our national heritage;

Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

It is the policy of the district that, when undertaking an action involving the exercise of substantive SEPA authority, the district shall consider, as appropriate under the circumstances, the ramifications of such action as to one or more of the preceding factors. 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. Additionally, the district formally designates and adopts the following plans and policies as additional policies to be considered by the district, as appropriate and practical under the circumstances, in conjunction with the exercise of substantive SEPA authority:

Edmonds School District Capital Facilities Plan;

Snohomish County Comprehensive Plan (all elements);

City of Edmonds Comprehensive Plan (all elements);

City of Lynnwood Comprehensive Plan (all elements);

City of Brier Comprehensive Plan (all elements);

Town of Woodway Comprehensive Plan (all elements); and

The district hereby eliminates, pursuant to WAC 197-11-680(2), appeals to its legislative body of any decision by a nonelected official conditioning or denying a proposal under authority of SEPA, and elects, pursuant to WAC 197-11-680(3), not to provide administrative appeals of determinations relating to SEPA.

Legal References

Chapter 43.21C RCW State Environmental Policy Act
WAC 197-11 State Environmental Policy Act (SEPA) Rules

Management Resources

2011 - October Issue
Policy News, December 1998, SEPA Policy Requires Periodic Review and Understanding

Adoption Date: 01.09.18
Edmonds School District
Classification: Essential
Revised Dates: