

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals:

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the [SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS \(part D\)](#). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

A. background

1. Name of proposed project, if applicable: **Rulemaking for Chapter 173-401 WAC, Operating Permit Regulation**
2. Name of applicant: **Washington State Department of Ecology**
3. Address and phone number of applicant and contact person:

Margo Thompson
Air Quality Program
Department of Ecology
300 Desmond Drive SE
PO Box 47600
Lacey, WA 98504-7600
360-407-6827

4. Date checklist prepared: **September 2014 thru June 2015**
5. Agency requesting checklist: **Washington State Department of Ecology**
6. Proposed timing or schedule (including phasing, if applicable):
 - **File CR-102 for the proposed rule with the State Code Reviser in August 2015 to publish in August 2015**
 - **Hold public hearing in September 2015**
 - **File CR-103 after public comment period is complete but no earlier than December 1, 2015**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None at this time.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Ecology will prepare a Cost-Benefit and Least Burdensome Alternative Analysis and a Small Business Economic Impact Statement for this rule revision. The economic analysis reports are available from Ecology's Air Quality Program and they are posted on the internet at:

- <https://fortress.wa.gov/ecy/publications/UIPages/PublicationList.aspx?IndexTypeName=Topic&NameValue=Economic%20Analysis&DocumentTypeName=Publication>
- <http://www.ecy.wa.gov/laws-rules/wac173455/1107.html>

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

No applications are pending. This is a non-project action and not site specific.

10. List any government approvals or permits that will be needed for your proposal, if known.

No government approvals or permits will be needed. This is a non-project action and not site specific.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to

describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Ecology is amending Ch. 173-401 WAC, Operating Permit Regulation. Amendments will:

- **Update the allocation methodology for fees.**
- **Revise non-statutory audit provisions.**
- **Clarify applicability requirements.**
- **Clarify rule provisions, update language to be consistent with state and federal rules, and correct errors.**

Reasons why the amendments may be needed and what they might accomplish include:

- 1. Fees – Air Operating Permit (AOP) sources are required under state and federal law to pay fees that cover the full cost of the AOP program. This rule making will:**
 - **Align Ecology’s fee allocation methodology with the work load. This provides a fair fee distribution across Ecology’s AOP sources. Some fees will increase and others may decrease.**
- 2. Audits – Fiscal and performance audits of AOP permitting agencies are required by state law. This rule making will:**
 - **Keep fiscal audit provisions the same other than to increase usability by separating them from performance audit provisions.**
 - **Reduce the frequency of performance audits to match the needs of a mature program. Reducing the performance audit frequencies lowers program costs.**
 - **Remove performance audit questions from the rule and redesign the performance audit focus. Redesigning the performance audit provisions provides more meaningful feedback to each permitting agency and their regulated communities.**
- 3. Applicability – The applicability section of the rule determines which sources must comply with AOP requirements. This rule making will:**
 - **Update applicability for nonmajor AOP sources to align with the federal operating permit rule.**
- 4. Rule Language –Rule language will be updated to:**
 - **Align with federal rules**
 - **Lessen confusion and increase usability of the rule.**
 - **Correct errors.**

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

This is a non-project action and not site specific. The proposal applies throughout Washington State.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

Not applicable. This is a non-project action and not site specific.

- b. What is the steepest slope on the site (approximate percent slope)?

Not applicable. This is a non-project action and not site specific.

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Not applicable. This is a non-project action and not site specific.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

Not applicable. This is a non-project action and not site specific.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

Not applicable. This is a non-project action and not site specific.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

Not applicable. This is a non-project action and not site specific.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

Not applicable. This is a non-project action and not site specific.

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

Not applicable. This is a non-project action and not site specific.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

Not applicable. This is a non-project action and not site specific.

3. Water

a. Surface Water:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

Not applicable. This is a non-project action and not site specific.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

Not applicable. This is a non-project action and not site specific.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

Not applicable. This is a non-project action and not site specific.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project action and not site specific.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

Not applicable. This is a non-project action and not site specific.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

Not applicable. This is a non-project action and not site specific.

b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

Not applicable. This is a non-project action and not site specific.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

Not applicable. This is a non-project action and not site specific.

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Not applicable. This is a non-project action and not site specific.

2) Could waste materials enter ground or surface waters? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

Not applicable. This is a non-project action and not site specific.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Not applicable. This is a non-project action and not site specific.

4. Plants

a. Check the types of vegetation found on the site:

___deciduous tree: alder, maple, aspen, other

___evergreen tree: fir, cedar, pine, other

___shrubs

___grass

___pasture

___crop or grain

___ Orchards, vineyards or other permanent crops.

___ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

____ water plants: water lily, eelgrass, milfoil, other
____ other types of vegetation

Not applicable. This is a non-project action and not site specific.

b. What kind and amount of vegetation will be removed or altered?

Not applicable. This is a non-project action and not site specific.

c. List threatened and endangered species known to be on or near the site.

Not applicable. This is a non-project action and not site specific.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Not applicable. This is a non-project action and not site specific.

e. List all noxious weeds and invasive species known to be on or near the site.

Not applicable. This is a non-project action and not site specific.

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other:
mammals: deer, bear, elk, beaver, other:
fish: bass, salmon, trout, herring, shellfish, other _____

Not applicable. This is a non-project action and not site specific.

b. List any threatened and endangered species known to be on or near the site.

Not applicable. This is a non-project action and not site specific.

c. Is the site part of a migration route? If so, explain.

Not applicable. This is a non-project action and not site specific.

d. Proposed measures to preserve or enhance wildlife, if any:

Not applicable. This is a non-project action and not site specific.

e. List any invasive animal species known to be on or near the site.

Not applicable. This is a non-project action and not site specific.

6. Energy and natural resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Not applicable. This is a non-project action and not site specific.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

Not applicable. This is a non-project action and not site specific.

7. Environmental health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal? If so, describe.

Not applicable. This is a non-project action and not site specific.

- 1) Describe any known or possible contamination at the site from present or past uses.

Not applicable. This is a non-project action and not site specific.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

Not applicable. This is a non-project action and not site specific.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.

Not applicable. This is a non-project action and not site specific.

- 4) Describe special emergency services that might be required.

Not applicable. This is a non-project action and not site specific.

- 5) Proposed measures to reduce or control environmental health hazards, if any:

Not applicable. This is a non-project action and not site specific.

b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

Not applicable. This is a non-project action and not site specific.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Not applicable. This is a non-project action and not site specific.

- 3) Proposed measures to reduce or control noise impacts, if any:

Not applicable. This is a non-project action and not site specific.

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.

Not applicable. This is a non-project action and not site specific.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

Not applicable. This is a non-project action and not site specific.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

Not applicable. This is a non-project action and not site specific.

- c. Describe any structures on the site.

Not applicable. This is a non-project action and not site specific.

- d. Will any structures be demolished? If so, what?

Not applicable. This is a non-project action and not site specific.

- e. What is the current zoning classification of the site?

Not applicable. This is a non-project action and not site specific.

- f. What is the current comprehensive plan designation of the site? [

Not applicable. This is a non-project action and not site specific.

g. If applicable, what is the current shoreline master program designation of the site?

Not applicable. This is a non-project action and not site specific.

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

Not applicable. This is a non-project action and not site specific.

i. Approximately how many people would reside or work in the completed project?

Not applicable. This is a non-project action and not site specific.

j. Approximately how many people would the completed project displace?

Not applicable. This is a non-project action and not site specific.

k. Proposed measures to avoid or reduce displacement impacts, if any:

Not applicable. This is a non-project action and not site specific.

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

Not applicable. This is a non-project action and not site specific.

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any:

Not applicable. This is a non-project action and not site specific.

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action and not site specific.

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

Not applicable. This is a non-project action and not site specific.

c. Proposed measures to reduce or control housing impacts, if any:

Not applicable. This is a non-project action and not site specific.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

Not applicable. This is a non-project action and not site specific.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable. This is a non-project action and not site specific.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable. This is a non-project action and not site specific.

11. Light and glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Not applicable. This is a non-project action and not site specific.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

Not applicable. This is a non-project action and not site specific.

- c. What existing off-site sources of light or glare may affect your proposal?

Not applicable. This is a non-project action and not site specific.

- d. Proposed measures to reduce or control light and glare impacts, if any:

Not applicable. This is a non-project action and not site specific.

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?

Not applicable. This is a non-project action and not site specific.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

Not applicable. This is a non-project action and not site specific.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Not applicable. This is a non-project action and not site specific.

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.

Not applicable. This is a non-project action and not site specific.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

Not applicable. This is a non-project action and not site specific.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Not applicable. This is a non-project action and not site specific.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Not applicable. This is a non-project action and not site specific.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Not applicable. This is a non-project action and not site specific.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Not applicable. This is a non-project action and not site specific.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?

Not applicable. This is a non-project action and not site specific.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

Not applicable. This is a non-project action and not site specific.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

Not applicable. This is a non-project action and not site specific.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

- h. Proposed measures to reduce or control transportation impacts, if any:

Not applicable. This is a non-project action and not site specific.

15. Public services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.

Not applicable. This is a non-project action and not site specific.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

Not applicable. This is a non-project action and not site specific.

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

Not applicable. This is a non-project action and not site specific.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

Not applicable. This is a non-project action and not site specific.

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Margo Thompson

Position and Agency/Organization: Environmental Planner, Air Quality Program, Department of Ecology

Date Submitted: _____

D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal will not increase discharge to water, emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise.

Proposed measures to avoid or reduce such increases are:

The proposal will not increase discharge to water, emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposed changes to the rule are not expected to affect plants, animals, fish or marine life.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

The proposed changes to the rule are not expected to affect plants, animals, fish or marine life.

3. How would the proposal be likely to deplete energy or natural resources?

The proposed changes to the rule are not expected to deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

The proposed changes to the rule are not expected to deplete energy or natural resources.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The proposed changes to the rule are not expected to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The proposed changes to the rule are not expected to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

The proposed changes to the rule are not expected to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed changes to the rule are not expected to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposed changes to the rule are not expected to increase demands on transportation or public services and utilities.

Proposed measures to reduce or respond to such demand(s) are:

The proposed changes to the rule are not expected to increase demands on transportation or public services and utilities.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The federal Clean Air Act requires all states to have statewide air operating permit (AOP) programs for businesses and industries that are the largest sources of air pollution. An AOP contains all the requirements that apply to an air pollution source. The purpose of the AOP is to make it easier to comply with and enforce air pollution laws. Washington's AOP regulation is in Chapter 173-401 of the Washington Administrative Code. Ecology, the Energy Facility Site Evaluation Council (EFSEC), and the seven local clean air agencies have received EPA approval to administer Washington's AOP program in accordance with 40 CFR Part 70.

Ecology's intent with the proposed rule changes is to clarify rule provisions and update language to be consistent with state and federal rules. Ecology does not expect the proposed changes to conflict with current local, state, or federal rules, regulations, laws or statutes.