

SEPA Public Notice Proposal From Environmental Stakeholders

The recommended additions are double underlined and the recommended deletions are double struck through.

WAC 197-11-510 Public notice.

(1) When these rules require notice to be given under this section, the lead agency must use reasonable methods to inform the public and other agencies that an environmental document is being prepared or is available and that public hearing(s), if any, will be held and meet the minimum requirements for public notice in subsection (2) of this section. The agency may use its existing notice procedures if they meet the minimum requirements for public notice in subsection (2) of this section.

Examples of reasonable methods to inform the public are:

- (a) Posting the property, for site-specific proposals;
- (b) Publishing notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;
- (c) Notifying public or private groups with known interest in a certain proposal or in the type of proposal being considered;
- (d) Notifying the news media;
- (e) Placing notices in appropriate regional, neighborhood, ethnic, or trade journals; and/or
- (f) Publishing notice in agency newsletters and/or sending notice to agency mailing lists (either general lists or lists for specific proposals or subject areas).

(2) At a minimum, the lead agency must provide public notice using the following methods:

- (a) Including the public notice on the agency's website unless the agency is a city or town with a population of less than 5,000 people that does not choose to post public notices on its website;
- (b) Mailing or emailing the public notice to the applicant, if any, and to at least 10 different property owners neighboring site-specific proposals and all property owners within 300 feet of the exterior boundary of site-specific proposals;

(c) Mailing or emailing the public notice to any person or agency who has requested SEPA public notices; and

(d) Filing out completely and submitting for public review the notice form described in section 3.

(3) Department of Ecology shall prepare and make available on its website a form that is available to the public for the purpose of providing public notice on its website. This form shall, at a minimum, request a short description of the proposal, the location of the proposed action in a format that allows the location to be plotted on the department of ecology's website map, whether there is any excavation proposed even for footings, whether a building that is 45 years old or older that is eligible for or listed in any historic register or historic survey will be modified, identification of the proponent and the lead agency, contact information for the lead agency, and any public comment period.

(4) Each agency shall specify its method of public notice in its SEPA procedures, WAC 197-11-904 and 197-11-906 and comply with the minimum requirements for public notice in subsection (2). If an agency does not specify its method of public notice or does not adopt SEPA procedures, the agency shall use methods (a) and (b) in subsection (1) plus meet the minimum requirements in subsection (2).

(5)(3) Notice forms filled out as required by subsection (2)(d) shall be immediately published in the SEPA register, which will also constitute a form of public notice.

(6)(a) For all proposed actions not categorically exempt from threshold determination and EIS requirements for which no notice is required by other sections of these rules, the requirements of subsections (2)(d) and (4) shall be met at least fifteen days before taking action on the proposal and at least seven days before the beginning of any public comment period .

(b) For all proposed actions categorically exempt from threshold determination and EIS requirements by WAC 197-11-800(1)(c) and (d) for which no notice is required by other sections of these rules, the requirements of subsections (2)(d) and (4) shall be met at least seven days before taking action on the proposal and at least seven days before the beginning of any public comment period.

(c) For all proposed actions categorically exempt from threshold determination and EIS requirements, and not addressed in subsection (5)(b) but that include (i) any excavation, even for footings, or (ii) any modifications to buildings that are 45 years old or older and eligible for or listed in any historic register or historic survey: the requirements of subsections (2)(d) and (4) shall be met at least seven days before taking action on the proposal and at least seven days before the beginning of any public comment period.