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SEPA Rulemaking Advisory Committee
Department of Ecology
PO Box 47703
Olympia, WA 98504

October 5, 2012

RE: SEPA Rulemaking Draft Proposals

SEPA Rulemaking Advisory Committee:

Thank you for the opportunity to provide input on the State Environmental Policy Act (SEPA) draft rule proposals.

The Building Industry Association of Washington (BIAW) represents over 8,000 businesses engaged in every aspect of the homebuilding industry, BIAW is concerned now more than ever with making sure Washingtonians have access to affordable housing.

While all three proposals, A, B, and C allow for local jurisdictions to adopt higher than current categorical exemptions, BIAW is most encouraged by Proposal C. C is the simplest approach to encouraging local governments to adopt higher maximum categorical exemptions. It allows for local governments to adopt the proposed optional exempt levels. With this straightforward proposal local governments are more likely to adopt the increased optional maximums. It is important the Department make local adoption possible and plausible.

BIAW is encouraged and appreciates the work done by the committee to allow for local flexibility. And while we are supportive of any increases in categorical exemptions such as those proposed options in Table 1 of Proposal C, it must be asked: What test was applied to choose the appropriate level? It seems these numbers, while an increase, were arbitrarily chosen and the Department is leaving real defensible threshold increases on the table. BIAW will, however, support the overall increases proposed in Proposal C at this time.

It is encouraging to see all the proposals considered bear in mind the Growth Management Act (GMA) by allowing different maximum option thresholds within Urban Growth Areas (UGA) and outside UGAs. BIAW applauds the Committee's efforts to create more harmony with SEPA and GMA and to encourage infill.

BIAW is very pleased with the change that exempts landfill and excavation associated with other exempt minor construction projects. This will help to make exempt projects truly exempt.

In regards to the proposed checklist language, BIAW understands the Department was tasked with two part rulemaking and is encouraged by the very minor efficiency gains in this first stage and looks forward to 2013 when more efficiency in the checklist can be gained.

The Department and Committee's work has been helpful in this quick first stage and BIAW appreciate the thoughtful nature of the proposals. Further, BIAW looks forward to the Department's test for the appropriate level of categorical exemptions and to finding more efficiency in the checklist.

Thank you for the opportunity to comment on your proposals.

Sincerely,

A handwritten signature in black ink, appearing to read "Jan Himebaugh", with a long horizontal flourish extending to the right.

Jan Himebaugh
Government Affairs Director

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