



1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
PHONE: 206.359.8000
FAX: 206.359.9000
www.perkinscoie.com

Laura L. Neebling
PHONE: (206) 359-8584
FAX: (206) 359-9584
EMAIL: L.Neebling@perkinscoie.com

May 20, 2013

VIA EMAIL AND U.S. MAIL

Ms. Annie Szvetecz
SEPA Policy Lead
Washington State Department of Ecology
PO Box 47703
Olympia, WA 98504-7703

Re: 2013 SEPA Rulemaking - Draft Categorical Exemptions/Comments by The Boeing Company

Dear Ms. Szvetecz:

On behalf of The Boeing Company, I submit the following comments on the Draft Categorical Exemptions, dated May 3, 2013, that were discussed at the most recent SEPA Advisory Committee meeting:

1. Proposed Definition Changes

- “Lands covered by water.” For clarity, the new definition of “wetland” now included in the definition of “lands covered by water” should be reformatted as a stand-alone definition.

2. Minor New Construction – Flexible Thresholds

- Landfill or excavation - the 1,000 cy flexible threshold, approved late last year, was a helpful and positive change. It should not be eliminated in this round of rulemaking.

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3. **Other Minor New Construction – Minor Dredging**

- The new exemption for dredging of 50 cy or less would appropriately streamline the approval process associated with very modest dredging activities. Boeing supports this proposed change.

4. **Utilities**

- The proposed revision of the utility pipe exemption from 8 – 12 inches is another positive proposal. Boeing supports this proposed change.

5. **Habitat Restoration Projects**

- Boeing supports the intent of the proposed new exemption for habitat restoration projects, which is, as we understand it, to support and incentivize such projects. We question, however, the proposed exemption's required showing of no significant adverse impacts to endangered species or their habitats. What process will be required to make that showing? We are concerned that the required process will reduce or eliminate intended incentives for habitat restoration, and would appreciate the opportunity to discuss this matter further. We also note that the area proposed for the new exemption (five acres or less) is appropriate and should not be reduced.

Thank you for your consideration of these comments.

Very truly yours,


Laura L. Neebling

cc: Leah Krider
Fran Sant
Neil Aaland