

SENATE BILL REPORT

SB 5802

AS REPORTED BY COMMITTEE ON ECOLOGY & PARKS, MARCH 3, 1993

Brief Description: Regarding state environmental policy act documents.

SPONSORS: Senators Fraser, Barr and Drew

SENATE COMMITTEE ON ECOLOGY & PARKS

Majority Report: That Substitute Senate Bill No. 5802 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fraser, Chairman; Moore, Sutherland, and Talmadge.

Staff: Gary Wilburn (786-7453)

Hearing Dates: February 22, 1993; March 3, 1993

BACKGROUND:

The State Environmental Policy Act (SEPA) requires the preparation of an environmental impact statement (EIS) for governmental agency actions or approvals of actions that may have a significant adverse impact on the environment. The Department of Ecology is directed by SEPA to adopt rules providing guidance for the preparation of such statements and other SEPA compliance documents.

The rules adopted by the department authorize the use of existing SEPA documents prepared for nonproject proposals or other actions that may assist in the analysis of the probable impacts of another project or proposal. The rules specify the circumstances in which such adoption or incorporation by reference may occur, and include other procedures such as the preparation of a supplemental EIS or an addendum.

SUMMARY:

Agencies are encouraged to adopt existing environmental documents for new projects or nonproject actions, if the documents adequately address the environmental considerations of SEPA, regardless of whether the prior action is similar to the current proposal.

EFFECT OF PROPOSED SUBSTITUTE:

The original bill is replaced. Lead agencies are authorized to use existing documents in SEPA analysis if the documents adequately address the environmental considerations provided in SEPA. The prior proposal and the new proposal must have similar elements that provide a basis for comparing environmental consequences, and the lead agency must determine

that the information and analysis to be used is relevant and adequate. The lead agency may require additional documentation to ensure adequate analysis.

Appropriation: none

Revenue: none

Fiscal Note: requested February 15, 1993

TESTIMONY FOR:

Will further SEPA purpose of using existing environmental documents, to avoid duplication and unnecessary paperwork.

TESTIMONY AGAINST:

May allow for inadequate environmental analysis under SEPA and avoid adequate public review and comment on SEPA documents.

TESTIFIED: Chuck Mize, City of Bellevue (pro); W. John Corbett, BROIL (con); Betsy Edmonds, BROIL (con); Paul Roberts, AWC (pro); Matt Terry; David Cohn