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**Technology & Economic Development  
Committee**

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**HB 1183**

**Brief Description:** Regarding wireless communications structures.

**Sponsors:** Representatives Morris, Smith, Habib, Crouse, Morrell, Magendanz, Freeman, Kochmar, Walsh, Tarleton, Dahlquist, Vick, Zeiger, Maxwell, Hudgins, Upthegrove, Ryu and Bergquist.

**Brief Summary of Bill**

- Modifies the requirements under which a State Environmental Policy Act (SEPA) categorical exemption applies to siting personal wireless facilities.

**Hearing Date:** 1/22/13

**Staff:** Jennifer Thornton (786-7147).

**Background:**

The State Environmental Policy Act (SEPA) establishes a review process for state agencies and local governments to identify possible environmental impacts that may result from governmental decisions, including the issuance of permits or the adoption of or amendment to land use plans and regulations. The information collected through the SEPA review process may be used to change a proposal to mitigate likely impacts, or to condition or deny a proposal when adverse environmental impacts are identified.

Provisions in the SEPA generally require a project applicant to complete an environmental checklist that includes questions about the potential environmental impacts of the proposal. This checklist is then reviewed by a designated lead agency to determine whether the proposal is likely to have a significant adverse environmental impact. If the lead agency determines that a proposed project will have a probable significant, adverse impact on the environment, it must prepare an Environmental Impact Statement.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

For some projects, including the types of projects that have been "categorically exempt" from the SEPA review process, no environmental review under the SEPA is required. Categorical exemptions to the SEPA review are identified in both state statute and rule. The siting of personal wireless service facilities that meet specific conditions is categorically exempt in statute from the SEPA review process.

**Summary of Bill:**

The conditions under which siting personal wireless service facilities are exempt from the SEPA review process are changed. The requirement for the facility to meet one the following two exemption requirements is removed: 1) a microcell attached to an existing structure that does not contain a residence or school; or 2) wireless service antennas attached to an existing structure that does not contain a residence or a school, and is located in a commercial, industrial, manufacturing, forest, or agricultural zone.

The exemption instead applies to collocating, removing, or replacing transmission equipment that does not: 1) increase the height of the structure by more than 10 percent or 20 feet; or 2) add a component to the structure that protrudes more than 20 feet, or more than the width of the structure at the level it is placed.

Collocation is defined as the mounting or installation of equipment on an existing tower, building, or structure for the purpose of either transmitting or receiving, or both, radio frequency signals for communications purposes.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.