

State Environmental Policy Act (SEPA) Review

Application



File Number _____

APPLICANT INFORMATION		
Name:	Company:	Daytime Phone:
Mailing Address:		E-Mail:
Contact person (if different):		Daytime Phone:
Mailing Address:		E-Mail:
Property owner (if different):		Daytime Phone:
Mailing Address:		E-Mail:

PROJECT INFORMATION		
Site Address:	Parcel Number:	
Zoning District:	Comprehensive Plan designation:	
Number of Acres:	Number of Lots:	Number of Units:
Legal description of property:		
Review Process: <input type="checkbox"/> Type 1 <input type="checkbox"/> Type 2 <input type="checkbox"/> Type 3 <input type="checkbox"/> Other: _____		
Description of proposal (attach additional sheets if necessary):		

SIGNATURE

I, _____, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained, and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate _____ to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional Engineers and other Consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in-house staff.

Dated: _____

Signature: _____

Please see the attached checklist(s) for a list of plans and other information that must be submitted with this application and for other important information. The checklist(s) must be submitted with the application and the required submittals.



WHAT IS SEPA?

SEPA stands for the State Environmental Policy Act. The purpose of SEPA is to encourage harmony between humans and their environment, to promote efforts which will prevent or eliminate damage to the environment, to stimulate human health and welfare, and to enrich the understanding of the ecological systems and natural resources important to Washington State.

SEPA is designed to ensure that:

- Environmental values are considered during land use decisions.
- Adequate and timely environmental information is gathered and provided to decision makers; and
- Public involvement is included in the decision-making process.

WHO IS RESPONSIBLE FOR SEPA IN CITY OF BURIEN?

SEPA requires that all state and local governmental agencies determine the environmental impact of land use decisions. Governmental agencies are required to conduct an environmental review and determine if a proposal will cause a “probable significant adverse impact” to the environment. An Environmental Impact Statement (EIS) is required if the agency decides there will be significant adverse impacts.

WHAT TYPE OF DEVELOPMENT PROPOSALS IS EXEMPT FROM SEPA?

All permit applications and other land use decisions are subject to SEPA review unless specifically exempted. Some of the more common exemptions include:

- The construction of 20 or fewer residential dwelling units.
- Commercial structures less than 12,000 square feet with 40 or fewer parking spaces; and
- Projects that involve less than 500 cubic yards of fill being imported or exported.

For a complete list of activities exempt from SEPA, please see Washington Administrative Code (WAC) 197-11-800. Some exemptions may not apply if the activity is proposed in a stream, wetland, lake or Puget Sound, or if a series of actions are proposed that could have cumulative impacts. To determine if a proposal is exempt, review WAC 197-11-800 and 197-11-305 and contact the Community Development Department at (206) 248-5510 with your questions regarding exemptions.

HOW IS AN ENVIRONMENTAL CHECKLIST FILLED OUT?

Attached you will find an environmental checklist. The purpose of this checklist is to provide information to help you and the City of Burien identify impacts from your proposal, to reduce or avoid impacts from the proposal, and to help the City decide if an EIS is required.

This SEPA environmental checklist asks you to describe some basic information about your proposal. Answer the questions descriptively, briefly, but accurately and carefully, with the most precise information known and to the best of your knowledge. Unless your property is in a critical area, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you do not know the answer, or a question does not apply to your proposal, write “do not know” or “does not apply”—do not leave the answer blank. Complete answers to all questions now may avoid unnecessary delays later. Note that some questions are two-part questions.

Some questions ask about governmental regulations, such as zoning, shoreline, comprehensive plan designation and landmark designation. If you need help with these questions, please call the City of Burien Department of Community



Development at (206) 248-5510.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental impacts. You may be asked to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impacts from your proposal.

WHAT HAPPENS DURING THE ENVIRONMENTAL REVIEW PROCESS?

What is a Threshold Determination?

When SEPA compliance is required for a project, the Responsible Official must decide if a project is likely to have a “probable significant adverse impact” on the environment. This decision is called a “Threshold Determination.”

- If a project may have a probable significant adverse impact, a Determination of Significance (DS) is issued, and an Environmental Impact Statement (EIS) is required.
- If the project will not have a significant adverse impact, a Determination of Non-Significance (DNS) is issued.

During the Threshold Determination process, the lead agency may identify measures which can be taken to reduce impacts to the environment. If the proposal is clarified, changed, or conditioned to include these measures, the responsible official may issue a “mitigated” Determination of Non-Significance (MDNS). These mitigations become conditions on the permit and are implemented during construction and/or before final approval (recording).

How are Threshold Determinations made using SEPA?

The threshold determination is based on the environmental checklist completed for the project along with other documents, reports, or maps submitted by the applicant. In addition, the SEPA planner may review other information available through the City, such as critical area maps and SEPA checklists and other information prepared for neighboring properties. Early in the review process, the SEPA planner will decide which elements of the proposal pose potential significant adverse impacts and determine which city departments have the appropriate technical expertise to provide comment on these issues. Most commonly, the Public Works Department will provide expertise in traffic, water quality, flooding, and drainage issues. If appropriate, outside agencies also will be contacted, such as the Puget Sound Clean Air Agency, the Washington State Departments of Ecology, Fisheries, and Wildlife, and affected tribes.

The SEPA planner may request additional information and studies from the applicant. Commonly requested studies include wildlife use and habitat on the site, stream and wetland delineation and mitigation, water quality, and traffic. When there is reasonable sufficient information to evaluate a proposal’s environmental impacts, a Threshold Determination is made. In determining a project’s impact, the planner must take into account:



1. The same proposal may have a significant adverse impact in one location but not in another
2. The proposal may result in a significant adverse impact regardless of where it is located
3. Several small impacts considered together may result in a significant adverse impact
4. It may be impossible to precisely determine the environmental impacts because of incomplete or unknown information
5. How a project will:
 - a) Adversely affect environmentally critical areas, such as loss or destruction of historic, scientific, and cultural resources, parks, or wetlands.
 - b) Adversely affect endangered or threatened species or their habitat.
 - c) Conflict with local, state, or federal laws or requirements for the protection of the environment; or
 - d) Establish a precedent for future actions with significant effects, involve unique and unknown risks to the environment, or affect public health or safety.

During the Threshold Determination process, the SEPA planner may identify ways to reduce or eliminate impacts to the environment.

How is mitigation developed?

Mitigation is a condition placed on a proposal to avoid, minimize, or reduce impacts. Mitigation measures must be reasonable and capable of being accomplished. The measures must also be based on the City's policies, plans or regulations listed in Burien Municipal Code (BMC) Section 14.10.090. Mitigation measures may be suggested by the City, applicant, or reviewing agencies.

Mitigation may also be developed through the "early notice" process. This process allows applicants to ask the responsible official if a project is being considered for a Determination of Significance (DS). If the responsible official indicates a DS is likely, the applicant may clarify or change the proposals by revising the project in a manner that will eliminate the impact or reduce it to an acceptable level. A Mitigated Determination of Non-Significance (MDNS) is then issued identifying the specific changes to the proposal.

What types of proposals receive a DS and why?

Because the City of Burien has many strong environmental regulations in place, few development applications receive a DS requiring an Environmental Impact Statement (EIS).

If a project receives a DS at the threshold stage, an EIS is prepared. Any project could potentially receive a DS depending on the location, cumulative impacts, or establishment of precedent, among other things. A proposal may receive a DS because of a single issue, such as traffic water quality, or the project may have several marginal impacts that together could trigger a DS.

Each project is considered on its own merits, including the proposal itself, the site and its surroundings. One proposal may have a probable significant adverse impact on a site, while another proposal would not. Additionally, the same proposal may have a significant adverse impact in one location but not in another location. The applicant is encouraged



to consider alternative development scenarios on the site that would achieve a lower degree of environmental degradation. Proposed development designed to avoid environmental impacts will be less likely to receive a DS.

HOW IS THE PUBLIC NOTIFIED ABOUT THRESHOLD DETERMINATIONS?

One of SEPA's most important objectives is to provide opportunities for public input and comment on proposals affecting the environment. Notice of a Threshold Determination is published in the legal section of *The Seattle Times*, posted on your property, posted on the City of Burien's website, and mailed to property owners within a 500-foot radius of the proposal. On or before the date of publication, the applicant must post the determination on a 4' x 4' notice board that can be easily seen on or near the property for the duration of the public notice period. The applicant is responsible for obtaining the sign at City Hall, sign installation and maintenance and removal at the appropriate times. Individuals and groups specifically requesting to become a "party of record" are also notified. By becoming a party of record, an individual can be notified of events throughout the permit process. To get on a mailing list for a particular project, call the Community Development Department (248-5510) with the permit number (from the land use sign, the newspaper, or mailed notice) and request to be a party of record.

HOW CAN A THRESHOLD DETERMINATION BE COMMENTED UPON OR APPEALED?

The comment period for a Threshold Determination is generally combined with the comment period on your project application. Upon publication of the Threshold Determination in the newspaper, there is a 21-day period (30 days for a short plat or subdivision) during which individuals affected by the decision may appeal it or submit comments. There is a fee to appeal a Threshold Determination. An appeal may be made to any of the determinations (DNS, MDNS, or DS). When you appeal a proposal, please note that the purpose of an appeal is to decide if the City of Burien was in error with regard to the Threshold Determination. It is helpful to clearly state what is being appealed and whether you want additional mitigation, an EIS, or repeal of the Threshold Determination. The SEPA appeal can only address SEPA issues. To comment on or appeal other land use actions, please review BMC Title 17 for subdivisions and short plats, or BMC Section 19.65 for rezones and land use reviews. For more information on opportunities to comment on SEPA and other land use issues, please contact the Community Development Department at 248-5510.

If the determination is appealed, an appeal hearing date is set, and the hearing is held. After hearing all testimony, a City of Burien hearing examiner decides whether the Threshold Determination is correct. A SEPA planner and the City Attorney represent the City of Burien at the public hearing. If no one appeals the Threshold Determination, the decision stands, and the applicant must comply with any conditions specified in the Threshold Determination.

WHAT IS AN EIS?

An Environmental Impact Statement (EIS) is a document designed to provide decision makers and the public with impartial information and to analyze alternatives to the proposal, including ways to avoid or minimize adverse impacts or enhance environmental quality. The SEPA rules stress that EISs should be concise and focused on the significant issues. The City of Burien is responsible for producing the EIS and typically will hire appropriate experts at the applicant's expense to draft the document. For more information on the EIS process, please contact the Community Development



Department at 248-5510.

HOW LONG WILL THE SEPA PROCESS TAKE?

A Threshold Determination generally will be made within 60 days after the permit application and supporting documentation are complete for the SEPA planner to review. If the SEPA review is combined with another land use action, the Threshold Determination will be made concurrently with a recommendation or decision on the land use action, which may take longer than 60 days.

To determine if an application and the supporting documentation are complete, the SEPA planner will conduct an initial review of the application and material within 28 days. When additional studies are required, the 60-day clock stops until the requested information is received. Upon receipt, the additional information may require review for completeness by technical experts outside the Community Development Department. After all the studies are received and reviewed for completeness, the Threshold Determination should be completed within 60 days.



PLEASE RETURN THIS CHECKLIST WITH YOUR APPLICATION

The following is a list of materials and plans which must be submitted in order to have a complete application. For some applications, it will not be necessary to submit all of the listed materials. Consult with the Department of Community Development if you have questions. Please do not turn in your application until all materials which apply to your proposal have been checked off.

Pre-Application Meeting	REQUIRED	PROVIDED
A pre-application meeting with a planner is required within the three months immediately prior to submittal (see separate pre-application meeting handout).	X	

Application	REQUIRED	PROVIDED
Set up an application submittal appointment	X	

Fees	REQUIRED	PROVIDED
A check payable to the City of Burien for applicable filing fees and engineering deposits see separate fee schedule).	X	

SEPA Environmental Checklist (5 copies)	REQUIRED	PROVIDED
Electronic copy of a completed and signed SEPA Environmental Checklist (see separate SEPA Questionnaire handout).	X	

Survey, Site Plans and Building Elevations (5 copies)	REQUIRED	PROVIDED
Electronic Auto-CAD plans in vector file format, drawn at 1" = 20' or a comparable scale, showing:	X	
1. Property survey showing property dimensions, and any existing structures which are proposed to remain on the property and names of adjacent rights-of-way.		
2. Existing streams, lakes, and shorelines, fire hydrants, utility lines (including location of nearest utility poles and fire hydrants), structures, rockeries, roadways and other relevant man-made or natural features.		
3. All existing trees 6" in diameter by species and an indication of which will be saved. The dripline and trunk locations should be accurately depicted.		
4. Proposed landscaping; size, species, location, and distance apart.		
5. Location and dimensions of proposed structure(s), parking areas (include degree of angle for parking stall design), driveways and roadways.		
6. Existing and finished grades at 5-foot contours with the precise slope of any area in excess of 40%.		



7.	The location and type of any critical areas and their required buffers, on and within 100 feet of your property.		
8.	Gross floor area and parking calculations.		
9.	Calculations for proposed lot area, density, setbacks, building coverage, impervious surface coverage, building height and parking.		
10.	Location and size of proposed utility lines, together with a letter of water and/or sewer availability.		
11.	Name, location, and dimensions of, and existing and proposed improvements in rights-of-way and easements. Existing improvements in existing rights-of-way and easements must also be indicated.		
12.	For multifamily residential, location and dimensions of common and private recreation space.		
13.	Dimensioned building elevations drawn at 1/8" = 1' or a comparable scale showing at least two facades.		

Drainage Plans	REQUIRED	PROVIDED
Electronic Auto-CAD drawings in vector file format, of a permanent and complete stormwater control plans that include curbs, gutters, inlets, catch basins, tightlines, retention and detention facilities, stabilized outfalls, and subterranean water. And electronic copies of a drainage report prepared by a licensed professional engineer complying with the City of Burien's Storm Water Design Manual (see separate handout).	X	

Critical Area Study	REQUIRED	PROVIDED
A critical area study complying with City of Burien Zoning Code Section 19.40.060 (see separate handout).		

Other Required Information	REQUIRED	PROVIDED