

**Klickitat  
County  
Development  
Assistance  
Brochure**

**S.E.P.A.**



**This brochure outlines the  
State Environmental  
Policy Act**  
**This brochure contains general  
information only and is subject to  
periodic change. Contact the Planning  
Department for specific details regarding  
current information.**

**April 2011**



**If you have questions...**

**call the Klickitat County Planning  
Department  
(509) 773-5703  
1-800 765-7239  
493-6084 from the  
White Salmon calling area**

**or come by the Courthouse  
Annex  
8:00 AM - 5:00 PM**

**KLICKITAT COUNTY PLANNING DEPARTMENT  
COURTHOUSE ANNEX  
228 WEST MAIN, MS: CH-17  
GOLDENDALE, WA 98620  
PHONE: (509) 773-5703  
FAX: (509) 773-6206**

hearing. Appeals shall state with specificity the basis for the appeal and the errors to be asserted to the Board. In order for an appeal to be accepted, the appeal and appeal fee must be filed with the Klickitat County Auditor.

Contact the Planning Department for appropriate appeal fees.

**IF YOUR PROPERTY IS LOCATED IN THE  
NATIONAL SCENIC AREA, THE COLUMBIA RIVER  
GORGE COMMISSION REQUIRES YOU TO  
COMPLY WITH ALL NATIONAL SCENIC AREA  
REGULATIONS. THEY CAN BE CONTRACTED AT  
509 493-3323.**

information indicating a proposal's probable significant impact, the responsible official shall withdraw the DNS.

- d. If no agencies other than the lead agency will be taking action on the proposal, the Determination may be issued and published without a comment period.
- e. Appeals of a DNS may be eliminated by rule, ordinance or resolution. Consequently, each agency does not necessarily have identical appeal procedures, or may not have any appeal process.

**DS:**

- a. If the Responsible Official issues a DS, notice of the determination must be provided to the public and shall describe the main elements of the proposal and areas of concern identified for discussion in the EIS (Environmental Impact Statement). An EIS shall proceed in accordance with WAC 197-11.

**FEES:**

SEPA Checklist Processing      \$250.00

**APPEALS:**

Per the Klickitat County Environmental Ordinance #121084 (Amended Ordinance #041095) any agency or person may appeal this DNS to the Board of County Commissioners, who would then hold a

## **DEFINITIONS:**

SEPA: "SEPA" is "State Environmental Policy Act of 1971 (Chapter 43.21C RCW)"

SEPA RESPONSIBLE OFFICIAL: An officer or department designated by agency environmental review procedures, to insure that requirements of the local environmental review and SEPA are complied with.

SEPA CHECKLIST: A question and answer form (substantially the same as provided in the Act) regarding potential environmental impacts of a proposal. The checklist is used by the "Responsible Official" in issuance of a "determination" of environmental impacts.

DETERMINATION: The decision of the Responsible Official regarding the environmental impacts of a proposal. If the determination is that significant, probable adverse impacts will result from the project as proposed, a DS (Determination of Significance) is issued to the public; if no impacts are identified, a DNS (Determination of Non-significance) is issued; if impacts are clearly identified and the proponent offers revisions to avoid or minimize impacts, a MDNS (Mitigated Determination of Non-significance) is issued.

AGENCY: Any local, state governmental body, board, commission, department, or officer authorized to make law, hear contested cases, or otherwise take action such as issuing permits or approving development proposals.

LEAD AGENCY: The agency with the main responsibility for complying with SEPA procedures. The first agency receiving an application for or initiating a proposal determines the lead agency.

## **WHAT IS SEPA?**

SEPA is Washington State law that provides a uniform procedure for the review of land use proposals and actions that could affect the environment. It requires each agency to have its own SEPA procedures consistent with State SEPA. "Environment: includes air, water, and land resources, fish, fauna and wildlife, scenic views, noise, aesthetics, light, transportation, public services, recreation, housing, cultural resources, agricultural crops, etc., but does not include considerations for methods of financing, economic competition, profits and personal income and wages, welfare policies.

## **WHAT IS THE PROCESS?**

### Step 1:

An individual, business, corporation, etc. submits an application to an agency (local or state governmental authority) for approval to undertake a proposal (WAC 197-11-005(2)(a)).

### Step 2:

The agency reviews the application to:

- a. determine whether or not the proposed action is specifically exempted from environmental review;

- b. determine "lead agency" status.

Unless a proposal is specifically listed, as exempt, in WAC197-11-800, the proposal is subject to review under SEPA (WAC197-11-305) and a checklist must be provided to the agency's Responsible Official (WAC197-11-310).

Generally, the first agency receiving a proposal is charged with determining who the lead agency is. If permits from other agencies will be required for implementation of the proposal, those other agencies can be contacted verbally/written notice and by agreement to establish who will assume lead agency status. The agreement of the lead agency status, generally, is dependent on the agency with appropriate expertise and/or with adequate financial/personnel resources available for the ensuing environmental review (WAC197-11-924).

### Step 3:

The Lead Agency's Responsible Official makes a Determination by:

- a. Reviewing the checklist.
- b. Determine if the proposal is likely to have probable, significant, adverse environmental impacts.
- c. Determine if mitigation is appropriate.

The Determination is issued as:

- a. A DNS (Determination of Non-significance) if it has no probable significant adverse impacts.

- b. A MDNS (Mitigated Determination of Non-significance) including provisions or conditions that will minimize or avoid impacts.
- c. A DS (Determination of Significance) if significant, probable, adverse impacts can be expected as a result of the proposal.

### Step 4

Upon issuance of a DNS or DS, the following steps are taken, dependent on the type of Determination that has been made by the Responsible Official:

### DNS:

- a. If an agency other than the lead agency will be issuing a permit in conjunction with the proposal, the checklist and notification of issuance must include a fifteen (15) day comment period. The determination is circulated to agencies and published in the SEPA register, as well as any other notification requirements of the local agency.
- b. If no comments are received within the fifteen (15) day comment period, solicited agencies are assumed to have no objections and the lead agency may act on the proposal. Upon completion of the fifteen day comment period following issuance of the DNS, the responsible official's determination is deemed final.
- c. If comments are received in a timely manner (15 days), the responsible official is to reconsider the DNS and may retain, modify, or withdraw the DNS. If there is significant new