**CITY OF AUBURN**
Planning & Development Department
Auburn City Hall Annex, 2nd Floor
1 East Main Street
Auburn, Washington 98001-4998
Tel: 253.931.3090
Fax: 253.804.3114
permitcenter@auburnwa.gov
www.auburnwa.gov



# SEPA SUBMITTAL – INTRODUCTION

**What is SEPA?**
SEPA stands for the State Environmental Policy Act and requires all agencies to consider the environmental impacts of a development before making decision (RCW43.21C). The purpose of environmental review is to identify a proposal's significant adverse impacts, measures to minimize or avoid such impacts, and allows wide public review for a range of projects.

**What are environmentally sensitive areas?**
Environmentally sensitive areas, also known as critical areas, are designated as the following pursuant RCW 36.70A.060, WAC 197-11-908 and ACC 16.10.010:

1. Flood hazards;
2. Geological hazards;
3. Ground water protection areas;
4. Significant trees;
5. Streams;
6. Wetlands; and
7. Wildlife habitat

The general location of such areas can be found on the City's critical area maps.

**What if there are critical areas on the property?**
Projects that involve work within or adjacent to critical areas (e.g., wetlands, streams, wildlife habitat, geologic hazards, ground water protection areas and flood hazards) may require that the City contract out for expert technical assistance. Pursuant to ACC 16.10, the applicant is responsible for providing any information, mapping, studies, and materials, and for paying for inspections or review by a qualified professional acceptable to the City. You will be advised at the earliest possible point if your project will be subject to these types of expenses.

**When should I file for a SEPA review?**
For all nonexempt project and non-project actions, all materials required for SEPA review should be submitted concurrently with underlying rezone, permit, amendment, subdivision, etc. applications.

**When is an action exempt from SEPA review and regulations?**
The City of Auburn adopts by reference WAC 197-11-300 and 197-11-800. In addition, Auburn establishes the following exempt levels for minor new construction under WAC 197-11-800(1)(c). Thus, SEPA review is not required for any action associated with the following types of decisions except when undertaken wholly or partly on lands covered by water:

1. Residential developments of 20 units or less;
2. Offices, schools, commercial, recreational, service, or storage buildings 12,000 square feet or less and associated parking facilities designed for 40 automobiles or less;
3. Parking lots of 40 automobile spaces or less;
4. Grading and filling of 500 cubic yards or less.

# SEPA SUBMITTAL – INTRODUCTION [CONTINUED]

The above categorical exemptions, however, are not final determinations of whether a proposed project must comply with SEPA pursuant to ACC 16.06.060. Additional factors to consider include:

1. Whether the proposal is likely to cause more than a moderate adverse impact on environmental quality, direct, indirect, or cumulative;
2. Whether the proposal is likely to create adverse impacts upon facilities, services, natural systems, or surrounding areas when aggregated with impacts of prior or reasonably anticipated future development.

**Is an action exempt from submitting an Environmental Checklist if a Determination of Non-significance (DNS) has been issued for said action?**
No, a completed environmental checklist will need to be submitted **before** the City makes any environmental determination.

**Unless** categorically exempt, such as those actions provided in the previous answer, or a written agreement between the Planning Director and the applicant promises that an environmental impact statement (EIS) will be prepared due to likely adverse impacts, all applications for nonexempt actions must be accompanied by an environmental checklist

**What if I cannot answer all of the questions on the Environment Checklist?**
Answer each question accurately and carefully, to the best of your knowledge from your own observations or project plans in most cases. If you do not know the answer or if the question does not apply, write “do not know” or “does not apply” or consider hiring a consultant.

**Do I need to submit an Environmental Impact Statement (EIS)?**
Initiators and proponents of action are responsible for preparing a draft and a final EIS *if a Determination of Significance (DS) has been issued*. The EIS will be completed by one or more consultants or in circumstances outlined under Section B of ACC16.06.080, partially or wholly by City staff.

**How long before I am notified if my application is complete?**
At the time you submit an application, you must submit all of the written and graphic information listed in this application under “SEPA Application Submittal Checklist”: Within 28 calendar days of receiving your application, City staff will determine if the application is complete based on the attached checklist. If your application is complete you will be notified in writing by City staff. If your application is not complete, you will receive a letter from City staff detailing required information to make your application complete.

**How long before I know the threshold determination on my proposed action?**
The length of time varies, but will conform to time limitation statutes for City land use decisions. Current City code requires that all land use decisions be made within 120 days from the date of a complete application submittal, unless an applicant agrees to extend the processing of his/her application longer than 120 days.

In general, the process begins with substantive review concurrent with a Notice of Application comment period, upon receipt of a **complete** application. After considering environmental analysis and public comments, the Planning Director will issue a threshold determination for the project. Once a threshold determination is made, there is typically a 15-day public comment period before the final environmental threshold determination, which is subject to a 14-day appeal period.

# SEPA SUBMITTAL – INTRODUCTION [CONTINUED]

**Who do I appeal to if I disagree on the final DS, DNS, or adequacy of the EIS?**
All appellants may file their appeals with the Hearing Examiner. Intermediate steps under SEPA (ex. scoping, draft EIS, etc.) cannot be appealed. Hearing Examiner decisions may be appealed to the Superior Court of the County in which the property of the underlying action resides.

**Does a final threshold determination equate to approval for the proposed action?**
The finalized DNS or EIS serves merely as prerequisite for a decision on the proposed action, not a guarantee for a permit or approval for the proposed action. The decision on a proposed action will be made after the 14-day appeal period for an environmental threshold determination expires or when the appeal decision for the environmental threshold determination is finalized.

**PLEASE NOTE:** Applicants are responsible for complying with all City Codes and ordinances; and should review all City regulations that may be applicable to their proposed project. For assistance in determining which regulations are applicable, please contact the City of Auburn Permit Center.

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# SEPA SUBMITTAL CHECKLIST

## *DIGITAL COPIES OF WRITTEN MATERIALS AND PLANS & GRAPHICS.*

☐ Provide electronic files of all submitted written materials and plans and graphics for use by the City of Auburn during the development review process. Staff will use this information in report preparation and public noticing so please be sure to provide current and accurate information. Documents totaling less than 20 MBs may be attached to the email submittal to applications@auburnwa.gov. If total file size is more than 20 MBs then email only the application form to applications@auburnwa.gov and you will be provided with a Dropbox link to upload all of the documents. Please allow until the end of the following business day for a Permit Technician to contact you with further instructions and to arrange payment and complete the intake process.

## *PDF REQUIREMENTS.*

☐ All documents shall be submitted in *unsecured* and *flattened* PDF format. Each document shall be separate PDF documents and clearly named by document title (common acronyms are OK, e.g. *SSP* – Stormwater Site Plan/Report, *Geotech* – Geotechnical Report, *TIA* – Traffic Impact Analysis/Study/Memo, *CAR* – Critical Areas Report).
Example: Smith Building – Prelim SSP.pdf

## *WRITTEN MATERIALS*

☐ A. **APPLICATION FORM** Provide a completed Master Land Use Application Form

☐ B. **LETTER OF AUTHORIZATION** Provide a letter of authorization to act contained with this application packet inclusive of all required signatures and notary information and seal.

☐ C. **NOT USED**

☐ G. **SEPA CHECKLIST**. Submit a **completed** environmental checklist together with the Supplemental Sheet for Non-Project Actions and any supporting documentation, such as a critical areas report (see below), or information to address potential or known environmental impacts resulting from the proposal

☐ H. **CRITICAL AREAS REPORT** , if applicable, addressing compliance with ACC 16.10 (Critical Areas) prepared by a qualified consultant as defined by ACC 16.10.020 as a person who has attained a degree from an accredited college or university in the subject matter necessary to evaluate the critical area in question (e.g., biology, ecology, or horticulture/arboriculture for wetlands, streams, wildlife habitat, and geology and/or civil engineering for geologic hazards, and hydrogeologist for ground water protection areas), and/or who is professionally trained and/or certified or licensed by the State of Washington to practice in the scientific disciplines necessary to identify, evaluate, manage, and mitigate impacts to the critical area in question.

| Known or Suspected Critical Area | Class | Analysis Required | Analysis Prepared |
|---|---|---|---|
| ☐ Wetlands | _____ | ☐ | ☐ |
| ☐ Stream | _____ | ☐ | ☐ |
| ☐ Wildlife Habitat Area | _____ | ☐ | ☐ |
| ☐ Geologic Hazard Area<br>Seismic, steep slope, landslide, & erosion | _____ | ☐ | ☐ |
| ☐ Groundwater Protection Area | _____ | ☐ | ☐ |
| ☐ Flood Hazard - ACC 15.68 | _____ | ☐ | ☐ |

Other:

☐ I. **TRAFFIC IMPACT ANALYSIS** If the SEPA submittal is for a new use or an expanded use that will generate traffic, safety or other issues, the City Engineer may require submittal of a traffic analysis prepared by a professional engineer licensed in the State of Washington. The City Engineer may make this determination prior to application submittal as part of a pre-application conference meeting request or as part of coordination with the applicant prior to application submittal.

- ☐ Traffic Analysis required and attached.
- ☐ Traffic Analysis is not applicable as determined by the City Engineer
- ☐ Don't know

☐ K. **PRELIMINARY STORM REPORT** Depending on the size and nature of the project, the City engineer may require submittal of a preliminary storm report prepared by a professional engineer licensed in the State of Washington. The City Engineer may make this determination prior to application submittal as part of a pre-application conference meeting request or as part of coordination with the applicant prior to application submittal. The storm report shall include a minimum of a quarter mile downstream analysis. (Additional information may be required if such analysis does not fully address stormwater impacts).

- ☐ Preliminary Storm Report required and attached.
- ☐ Preliminary Storm Report is not applicable as determined by the City Engineer
- ☐ Don't know