

Schroader, Kathy

From: Orjiako, Oliver
Sent: Monday, August 24, 2015 2:19 PM
To: Euler, Gordon; Alvarez, Jose
Cc: Schroader, Kathy
Subject: FW: ARTICLE IV. - ENVIRONMENTAL IMPACT STATEMENT (EIS) | Code of Ordinances | Spokane County, WA | Municode Library

FYI and for index!

From: Carol Levanen [<mailto:cnldental@yahoo.com>]
Sent: Monday, August 17, 2015 12:09 PM
To: Madore, David; Mielke, Tom; Stewart, Jeanne; Orjiako, Oliver
Subject: Fw: ARTICLE IV. - ENVIRONMENTAL IMPACT STATEMENT (EIS) | Code of Ordinances | Spokane County, WA | Municode Library

FOR THE PUBLIC RECORD

----- Forwarded Message -----

From: susan rasmussen <sprazz@outlook.com>
To: Carol Levanen <cnldental@yahoo.com>
Sent: Monday, August 17, 2015 10:34 AM
Subject: ARTICLE IV. - ENVIRONMENTAL IMPACT STATEMENT (EIS) | Code of Ordinances | Spokane County, WA | Municode Library

"responsible official ensures the EIS is written in a responsible manner"

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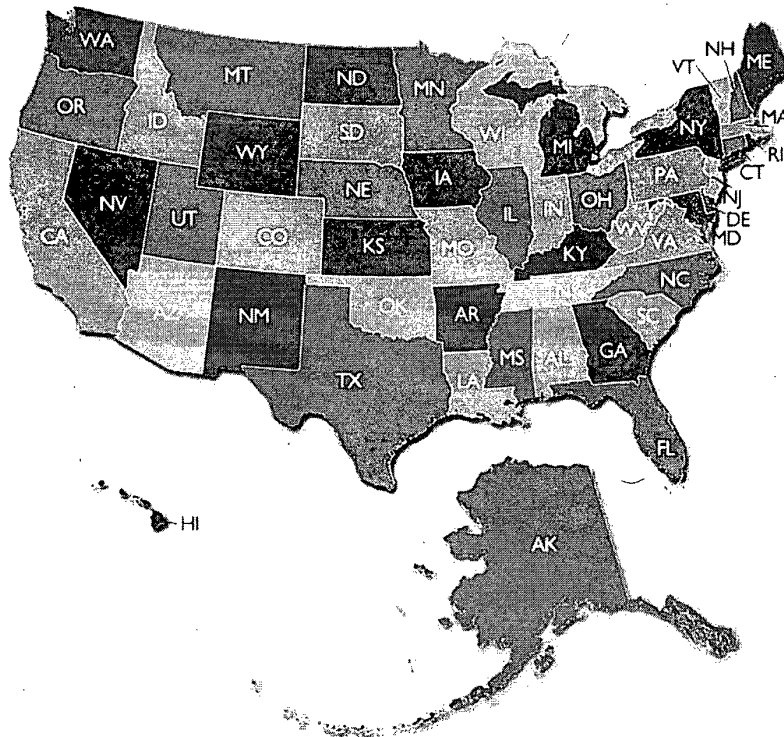
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ARTICLE IV. - ENVIRONMENTAL IMPACT STATEMENT (EIS)

11.10.110 - Purpose of this article and adoption by reference.

This article contains the rules for preparing environmental impact statements. *Spokane County* adopts the following sections by reference, as supplemented by this article.

WAC	
197-11-400	Purpose of EIS.
197-11-402	General requirements.
197-11-405	EIS timing.
197-11-408	Scoping.
197-11-410	Expanding scoping.
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-	Cover letter or memo.

11-435	
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost/benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.

(Res. 02-1098 Attachment A (part), 2002; Res. 84-0823 Attachment A (part), 1984)

11.10.120 - Preparation of EIS—Additional consideration.

- (a) Preparation of the draft and final EIS (DEIS and FEIS) and a draft and final Supplemental EIS (SEIS) is the responsibility of the lead agency under the direction of the responsible official. No matter who participates in the preparation of the EIS, it is the EIS of *Spokane County*. The responsible official shall be satisfied that the EIS complies with the provisions of the ordinance codified in this chapter and WAC Chapter 197-11 before issuing the EIS.

- (b) The DEIS and FESIS or draft and final SEIS shall be prepared by *Spokane County* staff, the applicant or its agent, or by an outside consultant retained by either an applicant or the lead agency.
- (1) For public projects, the responsible official shall determine when an outside consultant should prepare the EIS based on available staff, expertise, resources and public interest to adequately assess and evaluate the impacts of the projects.
 - (2) For projects initiated by a private applicant, the preparation of an EIS shall be under the direction of the responsible official. The responsible official shall notify the applicant of the procedures for an EIS preparation, including approval of the DEIS, FEIS and SEIS prior to distribution. All costs of preparing the EIS shall be borne by the applicant.
- (c) If a person other than the lead agency is preparing the EIS, the responsible official shall:
- (1) Assure that the EIS is prepared in a responsible manner and with appropriate methodology;
 - (2) Be responsible for scoping and preparation of a scoping report pursuant to WAC 197-11-408 (the responsible official may include consultants in the scoping process);
 - (3) Coordinate any areas of research and examination to be undertaken, as well as the organization of the resulting document;
 - (4) Meet with the persons preparing the EIS and review draft sections of the EIS to assure the completeness, accuracy, and objectivity, of the EIS;
 - (5) Allow any person preparing an EIS access to all relevant public records of the lead agency, pursuant to RCW Chapter 42.17 (Public Disclosure and Public Records Law);
 - (6) Assist in obtaining any information on file with another agency that is needed by the person preparing the EIS.
- (d) The lead agency may require an applicant to provide information the lead agency does not possess, including specific investigations. However, the applicant is not required to supply information that is not required under the ordinance codified in this chapter or that is being requested from another agency. (This does not apply to information the lead agency may request under another ordinance or statute.)
- (e) Any person, firm, or corporation assisting in the preparation of an EIS for private projects shall have expertise and experience in preparing environmental impact statements and shall be approved in writing by the responsible official before participating in the EIS process. The lead agency may create and maintain an EIS list of Qualified Consultants to assist in determining the expertise and experience of consultants using, but not limited to, the following procedures.
- (1) Annually or biannually placing a legal notice in the County's official newspaper requesting statement of qualifications (SOQ). Interested consultants will be required to submit an application package for consideration to be placed on the list.
 - (2) *Spokane County* will review the SOQs and place those consultant firms who are determined to meet the minimum qualifications on the list. Those qualifications include, but are not limited to:
 - (A) Possessing a thorough and comprehensive knowledge of the procedural and substantive requirements of SEPA and related regulations;
 - (B) Possessing adequate technical and administrative capacity to produce EIS documents and/or associated technical documents;
- (f) The private applicant shall compensate the lead agency for its administrative costs incurred with the development, production, and processing of the EIS, in accordance with Section 11.10.200.

(Res. 02-1098 Attachment A (part), 2002; Res. 84-0823 Attachment A (part), 1984)

11.10.120 - Additional elements to be covered in an EIS.

- (a) The table of contents shall include the list of elements of the environment (WAC 197-11-444), indicating those elements or portions of elements that do not involve significant adverse impacts (reference WAC 197-11-440[3][b]).
- (b) The lead agency may include, at its discretion, in an EIS or its appendix, the analysis of any impact relevant to the agency's decision, whether or not the impact is an environmental one. The inclusion of such analysis may or may not be based upon comments received during the scoping process. The provision for combining documents may be used (WAC 197-11-640). The EIS shall comply with the format requirements of WAC 197-11-400 through 197-11-500. The decision whether to include such information and the adequacy of any such additional analysis shall not be used in determining whether an EIS meets the requirements of SEPA.
- (c) If the lead agency chooses to include a cost/benefit analysis in an EIS, such analysis shall be consistent with WAC 197-11-450.

(Res. 02-1098 Attachment A (part), 2002; Res. 84-0823 Attachment A (part), 1984)