

ORDINANCE NO. 128

Section 1. The County of Walla Walla hereby adopts by reference the policies of the State Environmental Policy Act as expressed in RCW 43.12C.101 and RCW 43.21C.020.

Section 2. The County of Walla Walla hereby adopts by reference the following sections of WAC 173-805:

- WAC 173-805-020 Adoption by Reference.
- WAC 173-805-030 Additional Definitions
- WAC 173-805-040 (1) and (2) (b) (d) and (g) Time Limits Applicable to the SEPA Process
- WAC 173-805-050 (2) and (3) Environmentally Sensitive Areas
- WAC 173-805-060 Use of Exemptions
- WAC 173-805-070 (2) (3) (5) and (6) Lead Agency Determination and Responsibilities
- WAC 173-805-090 Environmental Checklist
- WAC 173-805-100 Preparation of EIS
- WAC 173-805-105 Additional Elements to be Covered in an EIS
- WAC 173-805-110 (2) Designation of Official to Perform Consulted Agency Responsibilities for the County
- WAC 173-805-120 (2) and (3) SEPA Public Information Center
- WAC 173-805-130 Fees
- WAC 173-805-135 Notice/Statute of Limitation
- WAC 173-805-140 Severability

Section 3. Time Limits Applicable to the SEPA Process

(1) The time limits set forth in this subsection shall not apply to withdrawals of affirmative and negative threshold determinations where such withdrawals are made in accordance with WAC 197-10-370 and WAC 197-10-375.

(2) Draft Environmental Impact Statement. The draft EIS shall be submitted to the Board by the applicant within sixty (60) days of written notification of such a requirement, unless otherwise waived by the responsible official.

(3) Final Environmental Impact Statement. The final EIS shall be submitted within forty (40) days after completion of the review period of the draft EIS.

Section 4. Environmentally Sensitive Areas. Environmentally sensitive areas shall be the shorelines of the county as designated by Walla Walla County Shoreline Master Program. All activities which require a Shoreline Management Substantial Development Permit shall require a threshold determination. Maps designating such areas, together with the exemptions which are inapplicable in such areas shall be on file at the Walla Walla Regional Planning and shall have full force and effect of law as of the date of adoption.

Section 5. Lead Agency Determination and Responsibilities.

(1) Any department within the county receiving or initiating a proposal any portion of which involves a major action, shall forward the environmental checklist to Regional Planning for determination of the lead agency, pursuant to the criteria set forth in section WAC 197-10-203. This determination shall be made for each proposal involving a major action unless the lead agency has been previously determined, or the department is aware that another department or agency is in the process of determining the lead agency.

(2) In the event that the county or any department thereof receives a lead agency determination made by another agency which does not appear to be in accord with the criteria of WAC 197-10-205 through 245 it may object thereto. Any such objection must be made and resolved within fifteen (15) days of receipt of the determination or the county must petition CEP for a lead agency determination pursuant to WAC 197-10-160 within the fifteen (15) day time period. Any such petition on behalf of the county shall be initiated by the County Board.

Section 6. Additional Elements to be covered in an EIS. Ascertainable county and regional standards, goals, policies and plans.

Section 7. Designation of Official to Perform Consulted Agency Responsibilities for the County. The following department shall be responsible for the preparation of the written comments for the county in response to a consultation request prior to a threshold determination, participation in predraft consultation, or reviewing a draft EIS: Walla Walla Regional Planning.

Section 8. Designation of Responsible Official.

(1) For those proposals for which the county is the lead agency, the responsible official shall be County Board of Commissioners.

(2) The responsible official or his designee shall make the threshold determination, supervise preparation of any required EIS, and perform any other functions assigned to the "lead agency" or "responsible official" by those sections of the SEPA guidelines which were adopted by reference in WAC 173-805-020 hereof, for all proposals for which the county is the lead agency.

(3) The County Board may seek the advise of the Planning Commission regarding a threshold determination on a major action requiring a rezone, conditional use permit, a variance, preliminary plat approval, or substantial shoreline permit.

(4) When the County Board considers a recommendation for denial of a rezone, a variance, a conditional use permit, a preliminary plat or a substantial shoreline permit, it may deny the request without preparation of an EIS if it finds that the proposed action is clearly in conflict with the County's Comprehensive Plan, other County ordinances, or standards.

Section 9. County Environmental Review Committee.

(1) There is hereby established a Walla Walla County Environmental Review Committee, consisting of the following members or their designees:

- (a) County Engineer
- (b) County Planner
- (c) Chief Sanitarian
- (d) Building Official
- (e) Extension Agent
- (f) Soil Conservation Service Resources Agent

(2) The Committee shall have the duty and power to:

- (a) Determine the adequacy of the environmental checklist for all proposals where the County is lead agency.
- (b) Advise the Board of the impact of all major action on the environment,
- (c) Direct the preparation of all draft and final Environmental Impact Statements,
- (d) Insure the adequacy of all draft and final Environmental Impact Statements,
- (e) Assure compliance with this ordinance and the SEPA Guideline, and
- (f) Recommend to the Board changes and amendments to this ordinance from time to time.

(3) The Committee shall meet on the second and fourth Thursdays of the month. The County Planner shall be the recording Secretary to the Committee and shall prepare the official documents to implement this ordinance.

Section 10. Sepa Public Information Center.

The following location constitutes the county's SEPA public information center:

Walla Walla Regional Planning  
City Hall, P.O. Box 478  
Walla Walla, Wash. 99362  
Telephone: (509) 525-1720 Ext. 65

ORDINANCE NO. 128 Cont.

Section 11. Walla Walla County Ordinance #95, dated 18th. day of December 1973, is hereby repealed.

Dated this 26th day of October, 1976.

BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WASHINGTON

Franklin F. Glue  
Chairman

James R. Henshaw  
Commissioner

Eugene V. Kelly  
Commissioner



Attest:

Theodore S. Bjerke  
County Auditor and ex-officio  
Clerk of the Board

FILED FOR RECORD  
IN WALLA WALLA CO. WASH. .  
BY County Commissioners  
Nov 2 9 39 AM '76  
RECORDED IN VOL \_\_\_\_\_  
OF \_\_\_\_\_ PAGE \_\_\_\_\_  
THEODORE S. BJERKE  
AUDITOR

**NOTICE OF INTENT  
TO ADOPT ORDINANCE**

NOTICE IS HEREBY GIVEN that Walla Walla County is considering the adoption of certain portions of the WAC 173-805, the SEPA Model Ordinance, for the implementation of the guidelines of the State Council on Environmental Policy (WAC 197-10) and the State Environmental Policy Act of 1971 (RCW 43.21C). The Ordinance is summarized as follows:

"The SEPA model ordinance (WAC 173-805) referred to is divided into two parts. The first part contains a list of the required mandatory portions of the Guidelines (WAC 197-10) by the Council on Environmental Policy (CEP). This part includes sections on: Selection and responsibilities of a lead agency, governmental actions exempt from SEPA procedures, determinations of significant or non-significant impacts, impact statement contents, public hearings, consultation with agencies with jurisdiction or special expertise, use of federal impact statements in the SEPA process and public notification through the SEPA public information centers.

The second part of the model ordinance includes the portions of the Guidelines by the Council on Environmental Policy which are optional and may be used to the degree desired by the adopting agency. These optional portions include discussion of time limits in the SEPA process, designation of environmentally sensitive areas, transferring of lead agency status, designation of the responsible official, and sections on collection of fees from private applicants for impact determination and impact statement preparation.

The full Guidelines adopted by the Council on Environmental Policy contain all of the subjects above except the wholly optional subject of fees."

All interested persons may inspect the guidelines at the Walla Walla Regional Planning Office, City Hall, Third and Rose Streets, Walla Walla, Washington. A public hearing on this matter will be held at 11:00 A.M. on Tuesday, October 26, 1976 in the Commissioners' Chambers at the County Courthouse, Walla Walla, Washington for the purpose of taking public testimony from interested parties.

**ORDINANCE NO. 128**

Section 1. The County of Walla Walla hereby adopts by reference the policies of the State Environmental Policy Act as expressed in RCW 43.21C.101 and RCW 43.21C.020.

Section 2. The County of Walla Walla hereby adopts by reference the following sections of WAC 173-805:

WAC 173-805-020 Adoption by Reference

WAC 173-805-030 Additional Definitions

WAC 173-805-040 (1) and (2) (b) (d) and (g) Time Limits Applicable to the SEPA Process

WAC 173-805-050 (2) and (3) Environmentally Sensitive Areas

WAC 173-805-060 Use of Exemptions

WAC 173-805-070 (2), (3), (5)

Section 5. Lead Agency Determination and Responsibilities.

(1) Any department within the county receiving or initiating a proposal any portion of which involves a major action, shall forward the environmental checklist to Regional Planning for determination of the lead agency, pursuant to the criteria set forth in section WAC 197-10-205 through -270, using the procedures of WAC 197-10-203. This determination shall be made for each proposal involving a major action unless the lead agency has been previously determined, or the department is aware that another department or agency is in the process of determining the lead agency.

(2) In the event that the county or any department thereof receives a lead agency determination made by another agency which does not appear to be in accord with the criteria of WAC 197-10-205 through -245 it may object thereto. Any such objection must be made and resolved within fifteen (15) days of receipt of the determination, or the county must petition CEP for a lead agency determination pursuant to WAC 197-10-260 within the fifteen (15) day time period. Any such petition on behalf of the county shall be initiated by the County Board.

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(3) The County Board may seek the advice of the Planning Commission regarding a threshold determination on a major action requiring a rezone, conditional use permit, a variance, preliminary plat approval, or substantial shoreline permit.

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Dated at Walla Walla, Washington October 11, 1976

THEODORE S. BJERKE

Clerk of the Board of  
County Commissioners

The Times

October 14, 1976

mas C. Baker

....., being first duly sworn on oath,

That he is the Publisher of The Times, a weekly newspaper

established, published in the English language, and circulated

a weekly newspaper in the City of Waitsburg, and in said

te, and of general circulation in said County for more than

ior to the date of the first publication of the Notice hereto

per is the official newspaper of the City of Waitsburg and

Walla Walla.

was on the 14th day of June, 1955, approved as a legal

e Superior Court of said Walla Walla County and that the

copy of a

Office of Intent to Adopt Ordinance

the regular and entire issue of said newspaper itself and

ent thereof for a period of ..... consecutive weeks,

the ..... day of ..... 19.....

the ..... day of ..... 19.....

newspaper was regularly distributed to its subscribers during

amount of \$..... has been paid in full, at the rate of

words for the first insertion, and \$3.15 a hundred words

ent insertion.

Anita B. Baker, Publisher

Subscribed and sworn to before me this

14th day of October, 1976

Notary Public in and for the State of Washington,

Residing at Waitsburg, Washington 99361



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