



SEPA Exemptions and Land Use

House Local Government Committee

Carrie Sessions, Director of Governmental Relations

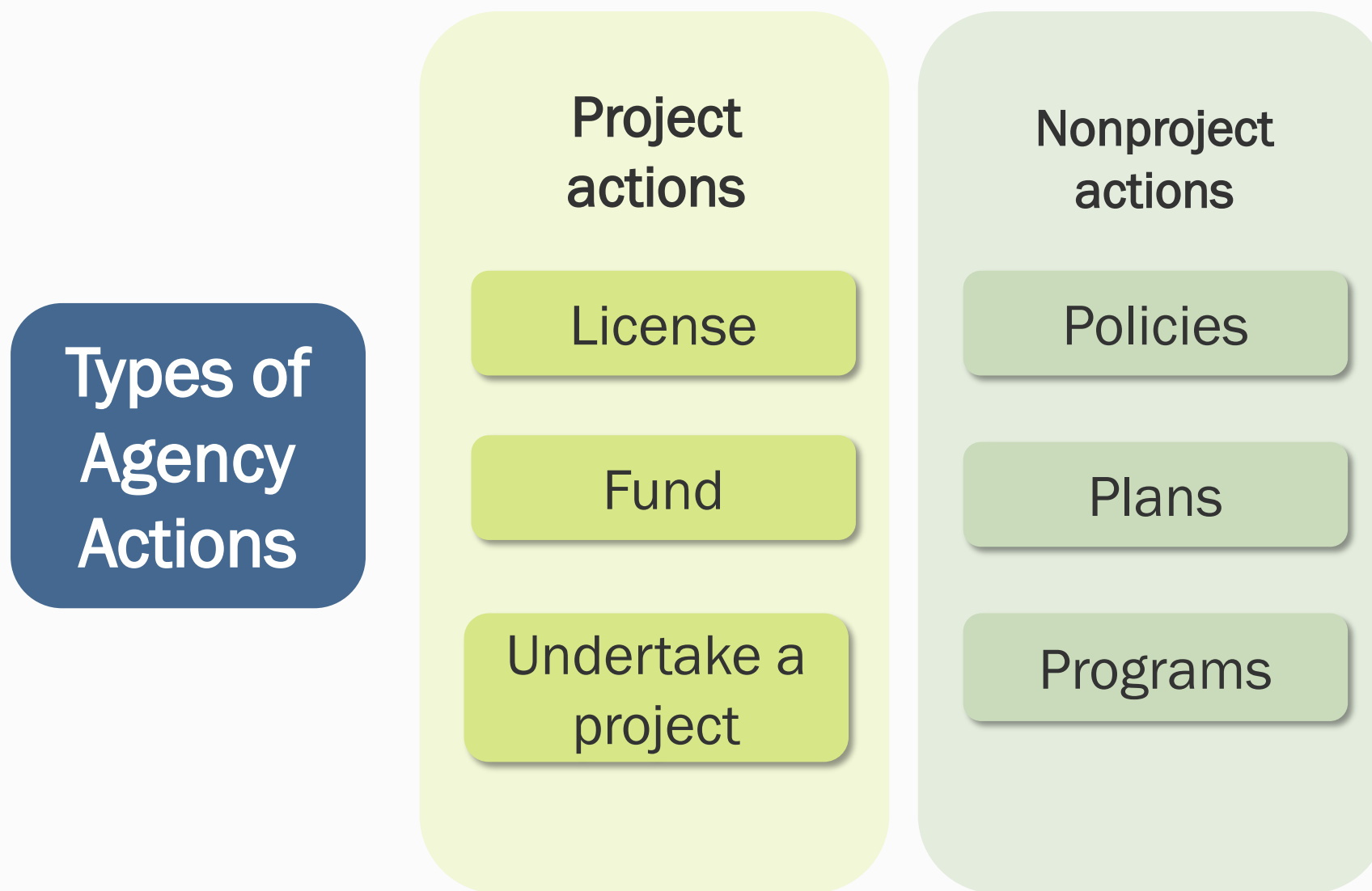
Brenden McFarland, Environmental Review Section Manager

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SEPA IS...

State policy directing
state and local agencies
to **protect and enhance**
the natural and built
environment
by
**making informed
decisions.**



Roles & Responsibilities in SEPA

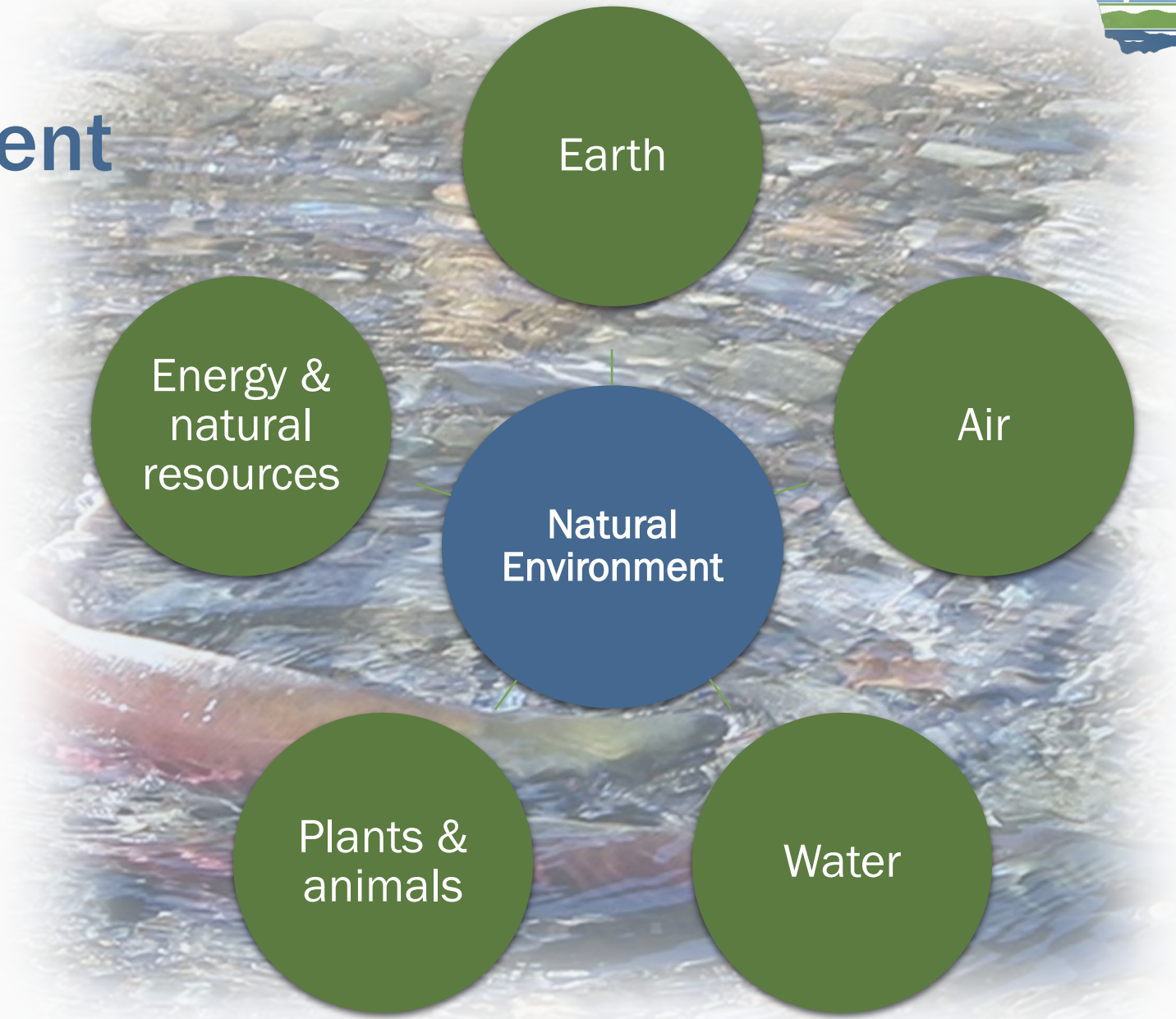
Ecology is responsible for:

- SEPA rulemaking
- SEPA training and technical assistance
- Publication of SEPA Register

All agencies may:

- Trigger SEPA by initiating a proposal
- Serve as a lead agency when making decisions
- Comment on a project undergoing SEPA review

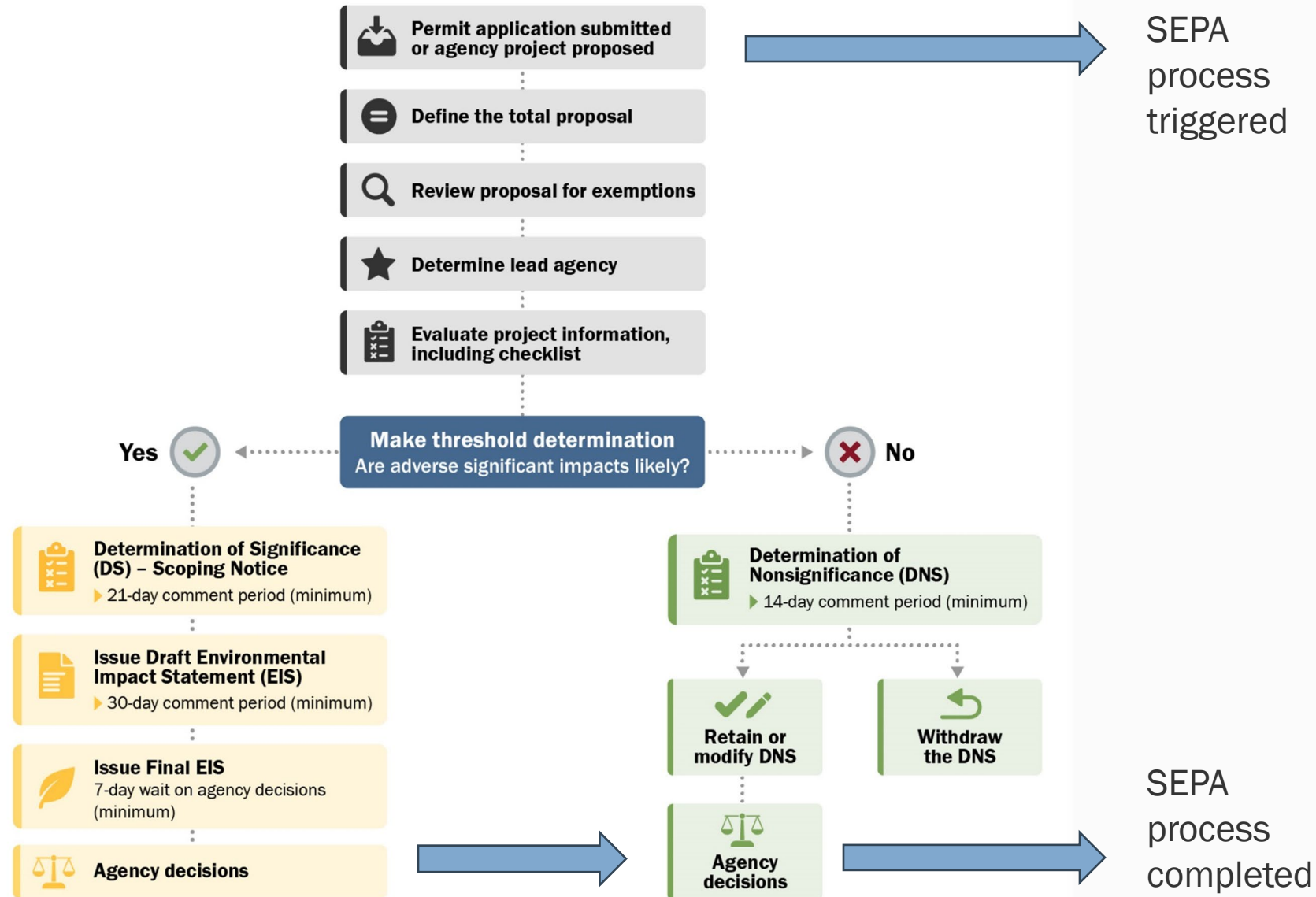
Elements of the Environment

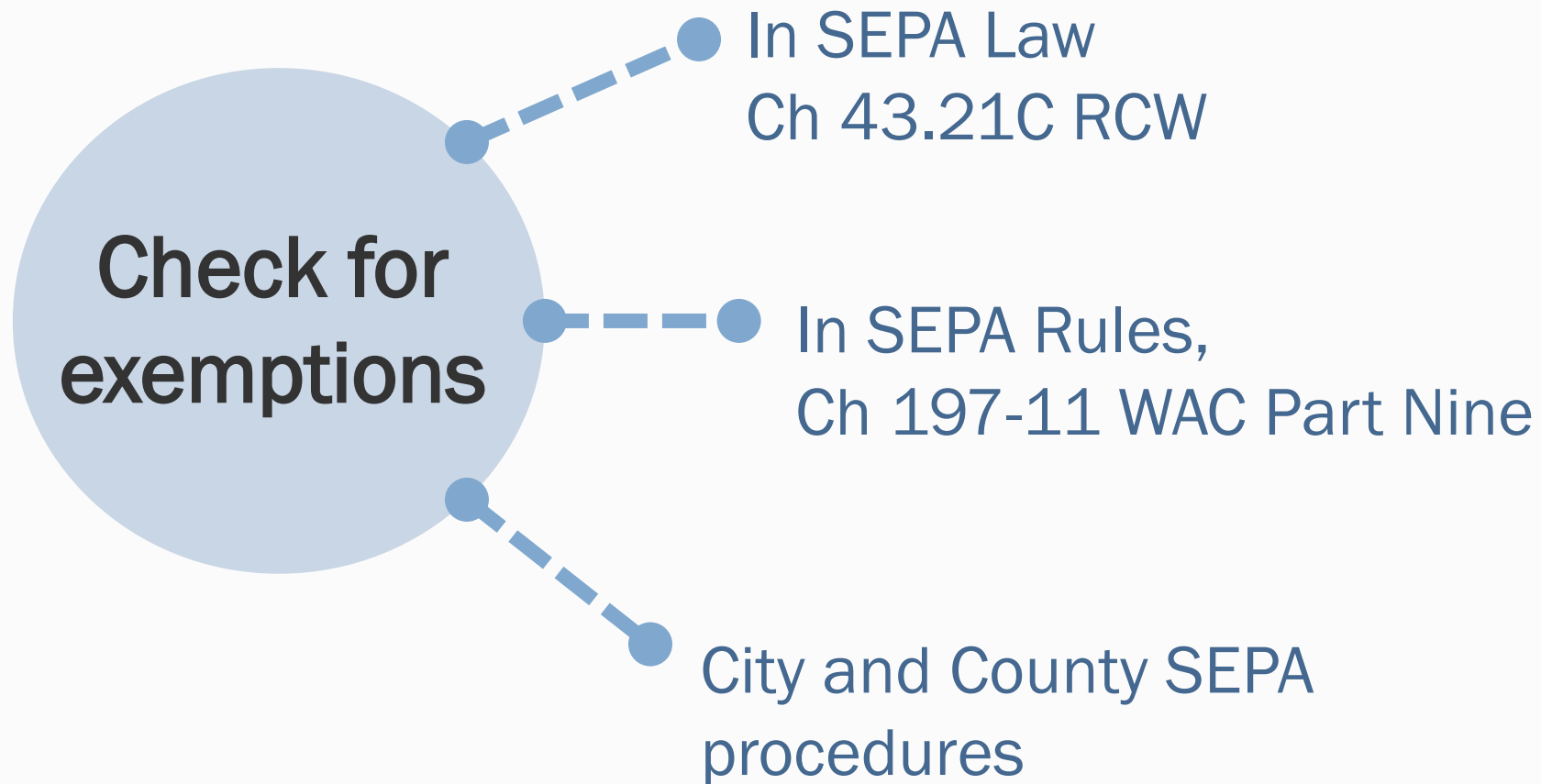


Elements of the Environment



State Environmental Policy Act (SEPA) Process





Rule Exemption: Minor New Construction

Exemption Covers:

- single family residential
- multi-family residential
- agricultural
- nonresidential structures

Does Not Cover:

- “lands covered by water”
- Projects that require air and water discharge permits



Adopting Flexible Exemption Levels

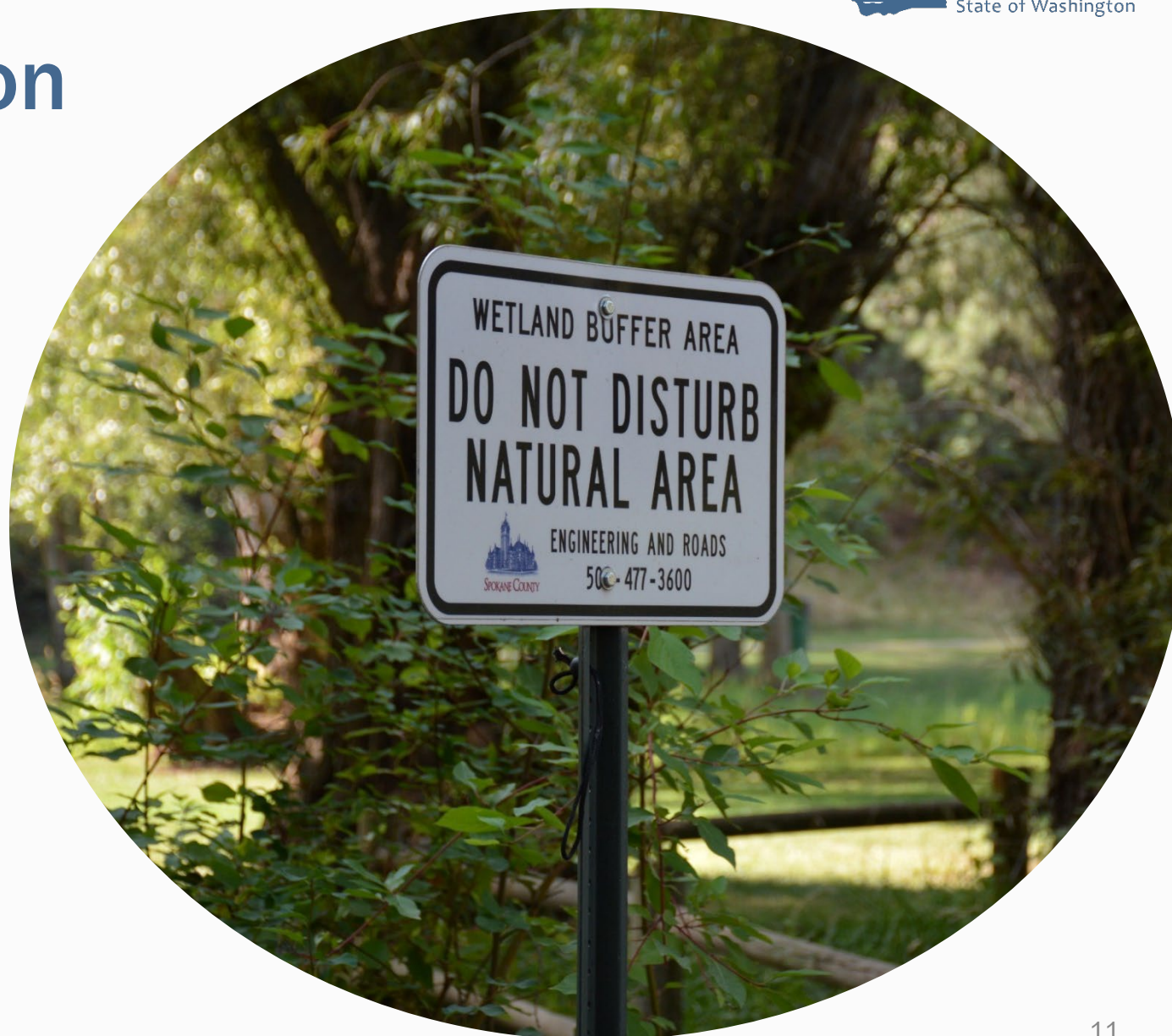
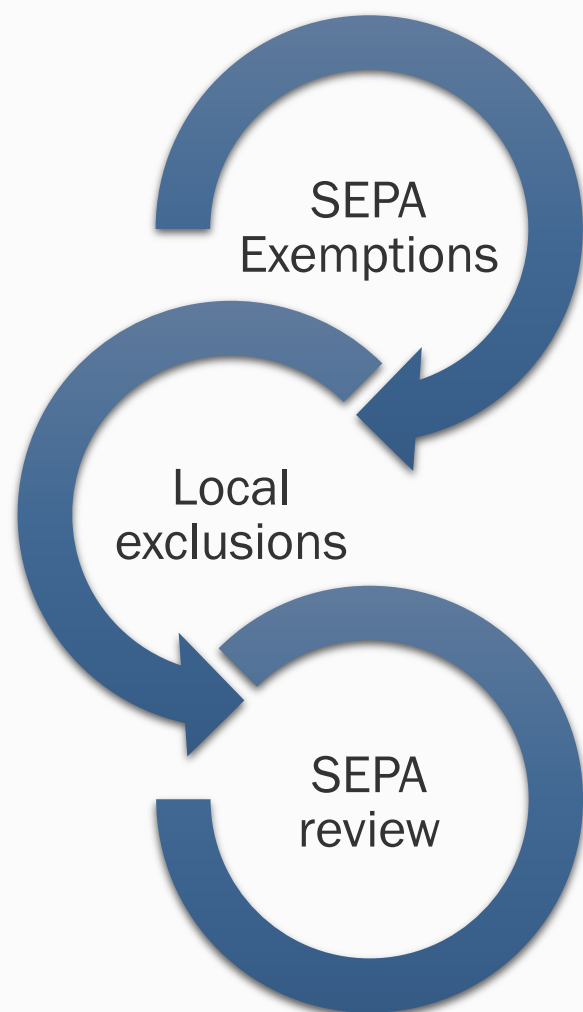
Impacts to elements of the environment

Outreach

Notice & comment

Cultural and historic resource protection

Critical Areas Option



Planned Actions

- Mechanism to do SEPA earlier in the process
- Up-front, location-specific analysis of a potential type of project

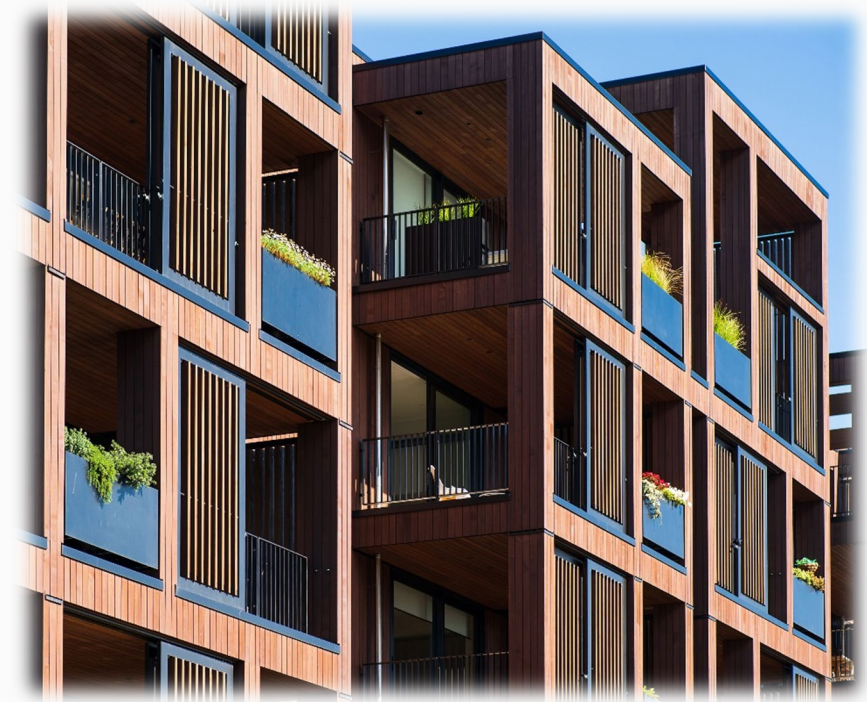
Process

1. EIS is prepared
2. Impacts and mitigation are considered
3. Adopt planned action ordinance



Recent SEPA Legislation

- Housing Exemptions
- Local ordinance
SEPA appeals
protection



Housing exemptions expanded in SEPA

- Infill housing, mixed use, commercial
(2003, 2012, 2020)
- Urban Growth Area Infill Housing (SB 5412, 2023)
- Transit Oriented Infill (HB 1491, 2025)



Local ordinance SEPA appeals protection

SEPA still applies to adopting ordinance updates, but “safe haven” from appeals for specific ordinances:

- HB 1110 Middle Housing (2023)
- HB 1337 Accessory Dwelling Units (2023)
- SB 5148 Housing Element (2025)
- SB 5471 Middle Housing in unincorporated UGA (2025)
- HB 1576 Historic Landmarks (2025)





Questions?

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