



Rulemaking Process

- Amended Rule language
 - Cost Benefit Analysis
 - Small Business Economic Impact Statement (*if needed*)
 - Public Process
- “rule packet”
- Environmental Impact Analysis in accordance with the State Environmental Policy Act (SEPA)
 - Public Process



State Environmental Policy Act (SEPA)

WAC 197-11-704

Definition of an action

(b) **Nonproject actions.** Nonproject actions involve decisions on policies, plans, or programs.

(i) The adoption or amendment of legislation, ordinances, rules, or regulations that contain standards controlling use or modification of the environment;

(ii) The adoption or amendment of comprehensive land use plans or zoning ordinances;

(iii) The adoption of any policy, plan, or program that will govern the development of a series of connected actions (WAC **197-11-060**), but not including any policy, plan, or program for which approval must be obtained from any federal agency prior to implementation;

(iv) Creation of a district or annexations to any city, town or district;

(v) Capital budgets; and

(vi) Road, street, and highway plans.



What's does SEPA determine?

SEPA requires a Threshold Determination by the agency's responsible official (RO)

- **The Chair serves as the RO for the Forest Practices Board.**
- **The RO determines the environmental impacts and their significance. Is the proposal likely to result in a probable significant adverse environmental impact?**



What does the RO base that determination on?

The SEPA Environmental Checklist (non project) is required AND supporting environmental analysis documentation can be included.

The NonProject Review Form (NPRF) is an optional form that informed this determination.



What's next?

If the Board approves the existing draft rule language to move forward, Chair Young has indicated he will make a Determination of Non Significance (DNS).

The DNS will be signed. The SEPA Checklist, NPRF, DNS and draft rule language will be posted to the SEPA register starting a 14-day public comment period (*this is an additional, separate, public process from the rulemaking process*).



Questions on SEPA and Next Steps

Questions?

“The Rest of the Story”

- ***Preliminary Cost Benefit Analysis – Maura Flight, IEc Principle***
- **Rule language changes, rules cross-walk, next steps in rulemaking – Saboor Jawad, Forest Regulation Division Manager**



