



Pollution Liability Insurance Agency Policy

<i>State Environmental Policy Act (SEPA)</i>	
General Topic: Agency Programs	Policy Number: 5.01
Contact: Legislative and Policy Manager	Effective Date: January 12, 2023
References: WAC 374-80-100 , RCW 43.21C.120 ; Chapter 197-11 WAC ; Environmental Checklist	
Approval: DocuSigned by: Russell E. Olsen 11609CB8468A87449 Russell E. Olsen, Executive Director	

I. Purpose

This policy establishes the agency procedures for identifying and mitigating adverse environmental impacts that may result from agency funded cleanup and construction projects at underground storage tank facilities. PLIA complies with the procedures in the State Environmental Policy Act (SEPA).

II. Scope

This policy applies to all construction proposals receiving funding directly from PLIA through a loan or grant.

III. Definitions

Determination of Nonsignificance (DNS): If the proposal is not likely to have a significant adverse environmental impact, the lead agency will issue a DNS.

Determination of Significance (DS): If the proposal is likely to have a probable significant adverse environmental impact, the lead agency will issue a DS. An environmental impact statement is needed for proposals that receive a DS.

Environmental Checklist: The form outlined in [WAC 197-11-960](#) that provides information to assist the agency identify impacts from the proposal and is attached to this policy.

Environmental Impact Statement (EIS): A document that describes the effects of the proposed actions on the environment. An EIS is required for all proposals with probable significant adverse impacts on the quality of the environment ([RCW 43.21C.0311](#), [WAC 197-11-440](#)).

Mitigated Determination of Nonsignificance (MDNS): If the environmental impacts identified in a proposal can be mitigated to a nonsignificant level through changes to the proposal, the lead agency may issue a MDNS.

Non-Exempt Proposal: A proposal is the proposed action. A non-exempt proposal is an action that does not qualify for the SEPA exemptions listed in [WAC 197-11-800](#).

Project Manager: The person or party overseeing or conducting the proposed action at the site.

Program Planner: The PLIA staff member responsible for the SEPA public notice procedures.

Proposal: A proposed action at the site.

SEPA WAC 197-11-020: The purpose of these rules is to establish uniform requirements for compliance with SEPA. Each agency must have its own SEPA procedures consistent with these statewide rules.

Site Manager: The PLIA staff member responsible for providing technical oversight at the site.

Threshold determination: A decision by the lead agency on whether or not an environmental impact statement (EIS) is required for the proposal.

IV. Policy

SEPA requires state and local agencies to consider the environmental impact of actions initiated and funded by the government. Information gathered from the SEPA process will determine whether or not an action could have an adverse impact on the environment. If an adverse environmental impact is identified, then the agency should provide oversight and approve reasonable alternatives that would mitigate adverse effects of proposed actions on the environment.

PLIA is the lead agency on PLIA-funded proposals that cleanup petroleum contamination or upgrade infrastructure at underground storage tank facilities. PLIA's policy is to avoid or mitigate adverse impacts that may result from agency actions or approvals. PLIA encourages public involvement on decisions regarding PLIA funded proposals. The agency conducts SEPA reviews in the manner required by state law.

IV. Procedure

The agency procedure may be modified in order to fully comply with the intent of the SEPA procedures. The SEPA procedure for PLIA proposals is as follows:

1. The Site Manager will review the Preliminary Planning Assessment and determine if the proposal meets one of the categorical exemptions ([WAC 197-11-800](#)). If SEPA environmental review is required, the Site Manager will provide an electronic copy of the environmental checklist to the Project Manager.

2. The Site Manager will evaluate the completed SEPA environmental checklist and review the proposal to identify any likely adverse environmental impacts. The Site Manager may request additional information to make a threshold determination.
3. If the proposed action is not likely to have an adverse environmental impact, the Site Manager will make a threshold DNS using the form provided in [WAC 197-11-970](#).
4. If PLIA determines that the proposal is likely to result in an adverse environmental impact, a DS will be issued and an EIS must be completed by PLIA or a PLIA-assigned consultant. A MDNS may be issued if it is possible to mitigate a significant adverse environmental impact through changes to the proposal.
5. When a threshold determination has been issued or an EIS has been drafted, the Program Planner will use at least two of the following methods to inform the public:
 - (a) Notify identified people or groups who have expressed interest in the proposal or geographic area.
 - (b) Post a notice in a local newspaper.
 - (c) Post signage at the property.
 - (d) Post notices and environmental documents on PLIA's website.
6. The Site Manager will consider all comments received during the public comment period. For DNS determinations, the Site Manager must decide whether to retain, revise or withdraw the determination. The Site Manager should review comments received on the draft EIS and decide what changes (if any) are needed. The comments received should be appended or summarized in the final EIS.
7. The Program Planner will submit the DNS or EIS and environmental documents to the Department of Ecology for publication in the SEPA Register ([WAC 197-11-508](#)).



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Purpose of checklist:

The State Environmental Policy Act (SEPA), chapter [43.21C RCW](#), requires all governmental agencies to consider the environmental impacts of a proposal before making decisions and provides the rules in chapter 197-11 WAC. PLIA's adopted SEPA rules are found in Chapter 374-100 WAC. The purpose of implementing SEPA is to ensure consistent review of environmental impacts by state agencies.

An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and PLIA identify impacts from your proposal and to reduce or avoid impacts from the proposal, if possible, and to help PLIA decide whether an EIS is required.

Actions that must be undertaken immediately or within an expedited timeframe too short to allow full compliance with Chapter 374-100 WAC in order to avoid an imminent threat to public health or safety; to prevent an imminent danger to public or private property; or to prevent an imminent threat of serious environmental degradation are within the PLIA categorical exemptions (374-100-050 WAC).

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring mitigation or preparation of an EIS.

Answer the questions briefly with the best known information available. You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, then write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later. Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, PLIA can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. PLIA may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.



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Use of checklist for nonproject proposals:

For nonproject proposals complete this checklist and the supplemental sheet for nonproject actions (Part D). The lead agency may exclude any question for the environmental elements (Part B) which they determine do not contribute meaningfully to the analysis of the proposal. For nonproject actions, the references in the checklist to the words "project," "applicant," and

"property or site" should be read as "proposal", "proposer", and "affected geographic area," respectively.

A. Background

1. Name of proposed project, if applicable:
2. Name of applicant:
3. Address and phone number of applicant and contact person:
4. Date checklist prepared:
5. Agency requesting checklist:
6. Proposed timing or schedule (including phasing, if applicable):
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.



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9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.
10. List any government approvals or permits that will be needed for your proposal, if known.
11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)
12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.



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B. Environmental Elements

1. Earth

a. General description of the site:

(check one): Flat, rolling, hilly, steep slopes, mountainous,
other

b. What is the steepest slope on the site (approximate percent slope)?

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?



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h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

2. Air

a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.

b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

c. Proposed measures to reduce or control emissions or other impacts to air, if any:

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.



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2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

b. Ground:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.



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- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

- 2) Could waste materials enter ground or surface waters? If so, generally describe.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:



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4. Plants

a. Check the types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

pasture

crop or grain

Orchards, vineyards or other permanent crops.

wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other

water plants: water lily, eelgrass, milfoil, other

other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

c. List threatened and endangered species known to be on or near the site.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

e. List all noxious weeds and invasive species known to be on or near the site.



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5. Animals

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site.

Examples include:

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other: _____

- b. List any threatened and endangered species known to be on or near the site.

- c. Is the site part of a migration route? If so, explain.

- d. Proposed measures to preserve or enhance wildlife, if any:

- e. List any invasive animal species known to be on or near the site.

6. Energy and Natural Resources

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.



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- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe.
- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any:

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe.
- 1) Describe any known or possible contamination at the site from present or past uses.

 - 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.

 - 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.



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4) Describe special emergency services that might be required.

5) Proposed measures to reduce or control environmental health hazards, if any:

b. *Noise*

1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

3) Proposed measures to reduce or control noise impacts, if any:

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.



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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:

c. Describe any structures on the site.

d. Will any structures be demolished? If so, what?

e. What is the current zoning classification of the site?

f. What is the current comprehensive plan designation of the site?



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g. If applicable, what is the current shoreline master program designation of the site?

h. Has any part of the site been classified as a critical area by the city or county? If so, specify.

i. Approximately how many people would reside or work in the completed project?

j. Approximately how many people would the completed project displace?

k. Proposed measures to avoid or reduce displacement impacts, if any:

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:



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- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- c. Proposed measures to reduce or control housing impacts, if any:

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
- b. What views in the immediate vicinity would be altered or obstructed?



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- c. Proposed measures to reduce or control aesthetic impacts, if any:

11. Light and Glare

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- c. What existing off-site sources of light or glare may affect your proposal?
- d. Proposed measures to reduce or control light and glare impacts, if any:

12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity?



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- b. Would the proposed project displace any existing recreational uses? If so, describe.
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers ? If so, specifically describe.
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.



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- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

14. Transportation

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).



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- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- h. Proposed measures to reduce or control transportation impacts, if any:

15. Public Services

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.



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- b. Proposed measures to reduce or control direct impacts on public services, if any.

16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer,
septic system, other
- d. Describe the utilities that are proposed for the project, the utility providing the service,
and the general construction activities on the site or in the immediate vicinity which might
be needed.



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C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature:

Name of signee

Position

Agency or Organization

Contact Phone and Email

Date Submitted:

PLIA Review by:

D. Supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:



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2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:



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5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.