

RESOLUTION NO. 3650, as amended

A RESOLUTION of the Port Commission of the Port of Seattle (Port), King County, Washington, revising and adopting the Port's policies and procedures under the State Environmental Policy Act (SEPA) and its implementing rules, Chapter 43.21C RCW and Chapter 197-11 WAC, repealing all prior resolutions pertaining to the same subject matter and adopting climate change policies under SEPA.

WHEREAS, the SEPA, Chapter 43.21C RCW, sets forth an environmental policy for Washington state and requires that the environmental impacts of proposals be analyzed and, where appropriate, mitigated; and

WHEREAS, SEPA applies to state agencies, counties, and municipal and public corporations, including port districts; and

WHEREAS, the Port has previously adopted policies and procedures consistent with the SEPA Rules, Chapter 197-11 WAC, adopted by the Washington Department of Ecology; including Resolutions 3028, 3211, and 3539 which are superseded by this resolution; and

WHEREAS, SEPA and its implementing rules, RCW 43.21C.070 and WAC 197-11-902, require the Port to formally designate policies that may be used as a basis for conditioning or denying an action using SEPA's substantive authority. RCW 43.21C.070 and WAC 197-11-902; and

WHEREAS, the SEPA rules require agencies to consider a proposal's environmental impact when rendering a threshold determination as to whether an environmental impact statement is required; and

WHEREAS, air quality and climate are identified in WAC 197-11-444(1)(b)(i) and (iii) as elements of the environment to be considered in assessing a proposal's environmental impacts under SEPA; and

WHEREAS, the Port of Seattle has been a leader in assessing greenhouse gas emissions associated with its operations and projects, and implementing mitigation strategies that reduce emissions that contribute to climate change; and

WHEREAS, when acting as a SEPA Lead Agency, the Port is in a unique position to consider and mitigate greenhouse gas impacts when considering project and non-project actions undergoing Port review; and

WHEREAS, the Port Commission from time to time finds it necessary to amend and revise such policies and procedures due to changes in law and/or operations of the Port and in order to improve the effectiveness of such policies and procedures; and

WHEREAS, under WAC 197-11-800(20), the adoption of SEPA procedures by local governments are categorically exempt from SEPA review; and

WHEREAS, the Port has provided public notice regarding this resolution and an opportunity for public comment on the resolution;

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle that:

Section 1 The Port of Seattle Commission adopts Exhibit A, including Appendix A and Attachments 1 and 2 to this resolution as its SEPA policies and procedures.

ADOPTED by the Port Commission of the Port of Seattle at a regular meeting thereof,
held this _____ day of _____, 2011, and duly authenticated in open session by the
signatures of the Commissioners voting in favor thereof and the seal of the Commission.

Port Commission