

Up-Front SEPA (State Environmental Policy Act) Planning



2SSB 5412 As Passed by Law

Under this new law, individual residential projects no longer have to go through the SEPA process. Completing this environmental analysis upfront will create more consistency and streamline projects with upfront expectations of mitigation costs and requirements, saving time and money.

State Environmental Policy Act—Categorical Exemptions—Housing Development

All SEPA planning must now be completed upfront at the Comprehensive Planning Level. That means residential construction projects no longer require SEPA review at the project level.

- Cities and counties must document in their environmental analysis that requirements for environmental analysis, protection and mitigation have been adequately addressed for the development exempted
- Cities or counties must document consultation with the Washington Department of Transportation on impacts to state-owned transportation facilities including considering whether they must mitigate for impacts
- Before finalizing the environmental analysis, local governments must provide a minimum of 60 days' notice to affected tribes, relevant state agencies, other jurisdictions potentially impacted and the public. They must also address any probable adverse impacts.

Implementation

Seattle has done the sub-area plan work to do the SEPA planning upfront, so they get to start immediately.

Everywhere else project actions that propose to develop one or more residential housing or middle housing units within the city may utilize the categorical exemption in the manner provided for cities and counties after Sept. 30, 2025.

Questions?

Contact BIAW Legislative Director
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