



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 1, 2011

Joel Winborn
Director
Parks, Fair & Facilities Department
Clallam County
223 E. Fourth St., Suite 7

Dr. Mr. Winborn,

This letter responds to your May 5, 2011 petition for determination of lead agency for a proposal involving the County's request for reconveyance of property from the State Department of Natural Resources in order to develop a public shooting range. After reviewing the petition letter you submitted as well as the May 20, 2011 response from DNR, I have determined that the proposal is subject to SEPA review (i.e. is not exempt) and that Clallam County is the designated lead agency.

The first step in this determination involves the definition of the total proposal (pursuant to WAC 197-11-060) and the identification of all agency actions (pursuant to 197-11-704). In this case the total proposal involves the following:

1. An adopted plan by the County to reclaim property that was formerly transferred to DNR.
2. A plan by the County to use the property as a public shooting range and retain the existing public ORV trail.
3. A request initiated by the County to DNR for reconveyance.
4. A pending decision by DNR to approve the reconveyance.
5. Planned future design and development of shooting range project by the County.
6. Planned future applications by the County for permits and other approvals for the construction and operation of the shooting range and associated facilities.
7. Planned future ownership and management of entire property by the County.

There is not an applicable SEPA exemption for the above listed proposal as a whole or any of the distinct activities or agency actions associated with the proposal. The categorical exemption specific to agency land transfers in WAC 197-11-800(5) does not apply when a public use is involved. Both the lead agency petition and DNR's response include reference to a public use on the property in question. Additionally, the later "planned" decisions in the list above may require additional/phased environmental review commensurate with level of detail involved with those specific agency actions.

The County is the proponent for the total proposal listed above and therefore is also the designated SEPA lead agency pursuant to WAC 197-11-926. The timing of SEPA review is detailed in WAC 197-11-055 and includes the following provisions:

1. A proposal exists when an agency has a goal and is actively preparing to make a decision on one or more alternative means of accomplishing that goal *and* the environmental effects can be meaningfully evaluated.
2. The SEPA process shall be integrated with agency activities at the earliest possible time to ensure that planning and decisions reflect environmental values, to avoid delays later in the process, and to seek to resolve potential problems.
3. The lead agency shall prepare its threshold determination and environmental impact statement (EIS), if required, at the earliest possible point in the planning and decision-making process, when the principal features of a proposal and its environmental impacts can be reasonably identified.
4. The fact that proposals may require future agency approvals or environmental review shall not preclude current consideration, as long as proposed future activities are specific enough to allow some evaluation of their probable environmental impacts.
5. Appropriate consideration of environmental information shall be completed before an agency commits to a particular course of action (WAC 197-11-070).

According to Resolution 44 in 2008 by the Board of Clallam County Commissioners, a series of actions connected to this proposal started in 2002 with recommendations by the Clallam County Parks Board. There was a 2005 decision by the Board of Clallam County Commissioners to request reconveyance from DNR for a shooting range and then a subsequent 2008 decision by the Board to adopt a formal resolution to accept transfer of the property for the shooting range. These agency actions were part of the total proposal and decisions were made prior to SEPA review.

I recommend that SEPA review be completed by the County prior to any further agency actions/decisions on this proposal. SEPA is often a collaborative approach among agency departments and divisions as well as between different agencies. I urge you to consult with staff at DNR, the County's Planning Department and other agencies and organizations with expertise.

If you have any questions or would like to discuss this further, please contact me at (360) 407-6925 or annie.szvetecz@ecy.wa.gov.

Sincerely,



Annie Szvetecz

cc: Steve Gray, Clallam County Planner Manager
Patricia Betts, DNR SEPA Center
Pamela Krueger, DNR Section Manager