

Regulatory Background of EIS Scoping

Scoping is a process defined by the State Environmental Policy Act to determine the content, or “scope,” of an EIS. Scoping follows the SEPA lead agency’s “determination of significance,” the official decision that a proposed project may have significant environmental impacts and requires an EIS to assess these impacts. Issuance of the determination of significance (known as a DS) begins the formal scoping process. The City of Bellevue’s Development Services Department is the SEPA lead agency for this proposal through a sponsored and coordinated inter-jurisdictional approach and agreement to the EIS review process with Renton, Redmond, Newcastle, and Kirkland.

Scoping identifies the elements of the environment which may be impacted by a project, possible alternatives, and mitigation measures. The process allows input on these issues from the public, other agencies, and Indian tribes. Information gathered during scoping is used to determine what studies will be conducted during preparation of the EIS and what alternatives the studies will evaluate.

The state regulations governing the scoping process are contained in Section 197-11 of the Washington Administrative Code (WAC). This section, known as the “SEPA Rules,” implements the State Environmental Policy Act, Chapter 43.21C of the Revised Code of Washington. Because the Energize Eastside project integrates planning under the Washington State Growth Management Act with SEPA environmental review, it follows the requirements of WAC 197-11-210, which the City of Bellevue has adopted by reference as part of its Environmental Procedures Code (Chapter 22.02 BMC).

For the proposed Energize Eastside project the City chose to use the “expanded scoping” process. Expanded scoping is defined in WAC 197-11-410, which states that its use is intended to promote interagency cooperation, public participation, and innovative ways to streamline the SEPA process. There are no specified procedural requirements for the methods, techniques, or documents that may be used in an expanded scoping process in order to allow the SEPA lead agency to provide maximum flexibility to meet these purposes. However, the regulations offer some examples of ways that lead agencies can use expanded scoping to encourage and assist public participation. The City actively undertook several of these methods, including:

- Lengthening the time period allowed for submission of scoping comments
- Using meetings and/or workshops to provide information and invite feedback on the project and scope
- Distributing questionnaires and information packets about the project
- Consulting with other agencies while the EIS is being prepared, rather than waiting for them to submit their comments on a completed document.