WHEREAS, the State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires consideration of the environmental impacts of both project and non-project actions; and

WHEREAS, SEPA requires the lead agency for project and non-project actions to take certain procedural steps to ensure compliance with the act; and

WHEREAS, Snohomish County Code (SCC) 30.61.045 provides the process for determining which county department shall be responsible for lead agency responsibilities under SEPA; and

WHEREAS, SCC 30.61.045(4) states that for non-project governmental proposals, which include Type 3 legislative proposals, the “lead department for all proposals for governmental action of a non-project nature shall be the department initiating the proposal”; and

WHEREAS, the County Council finds there is an opportunity to streamline the process for determining which county department shall undertake lead agency responsibilities in consideration of the core functions, staffing levels, and expertise of various departments; and

NOW, THEREFORE, BE IT ORDAINED:

Section 1. Snohomish County Code Section 30.61.045, last amended by Amended Ordinance No. 02-064 on December 9, 2002, is amended to read:
30.61.045 Lead department.

(1) Lead department responsibilities. The lead department shall be responsible for undertaking lead agency duties where the county is the lead agency.

(2) Procedure. The lead department shall be determined for projects for which the county is the lead agency in accordance with the criteria of this chapter. Interdepartmental disputes over the application of such criteria, which cannot be settled by agreement, shall be determined by the county executive. In addition, the county executive upon request therefore may waive the criteria and designate a special lead department for a proposal where strict application of such criteria would result in interdepartmental budgetary or manpower inequities.

(3) Governmental proposals - project. The lead department for all proposals for governmental action of a project nature shall be the department which would have primary administrative responsibility for such action.

(4) Governmental proposals - non-project. The lead department for all proposals for governmental action of a non-project nature shall be the department initiating the proposal, except that the Snohomish County department of planning and development services shall be the lead department for all Type 3 legislative proposals initiated by the county council or by the planning commission under chapter 30.73 SCC.

(5) Private projects.

(a) For proposed private projects over which only one department has jurisdiction, the lead department shall be the department with jurisdiction.

(b) For private projects which require licenses from more than one department, the lead department shall be one of the departments with jurisdiction, based upon the following order of priority:

(i) the Snohomish County department of planning and development services;

(ii) department of public works; and

(iii) ((auditor;

(iv) county council; and

(v)) other executive departments.

(c) The "responsible official" for purposes of receiving a notice of intent to commence a judicial appeal is the clerk of the county council.

(6) Agreements as to lead department status. Nothing herein shall prohibit a department from assuming the role of lead department as a result of an agreement among all departments with jurisdiction.
PASSED this 11th day of May, 2022.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

ATTEST:

________________________
Clerk of the Council

(X) APPROVED
( ) EMERGENCY
( ) VETOED

DATE: 5/11/2022

________________________
County Executive

ATTEST:

Melissa Geraghty

Approved as to form only:

__________________________
Deputy Prosecuting Attorney