

## **LOTT Wastewater Alliance Environmental Rules**

### **PART ONE AUTHORITY AND PURPOSE**

#### **§ 1.1. Authority.**

The LOTT Wastewater Alliance (the "LOTT Alliance") is a non-profit corporation formed under the laws of the State of Washington, Ch. 24.03 RCW, for the purpose of providing wastewater management services for the cities of Lacey, Olympia and Tumwater and to Thurston County (jointly, the "Partners"). The Partners created the LOTT Alliance through an interlocal agreement dated November 5, 1999 (the "Interlocal Agreement"). The Partners govern the LOTT Alliance through the power to appoint members of the Alliance's governing board by and from the Partners' respective legislative bodies. The Interlocal Agreement provides that the LOTT Alliance should operate and conduct its business as a public agency, and that it is generally in the public interest for the LOTT Alliance to directly manage environmental review of LOTT actions to assure the early consideration of environmental factors. The LOTT Alliance adopts these rules under the State Environmental Policy Act (SEPA), Section 43.21C.120 RCW, and Section 197-11-904 WAC. These rules contain the LOTT Alliance's SEPA procedures and policies. The SEPA rules, Ch. 197-11 WAC (the "SEPA Rules"), must be used in conjunction with these rules.

#### **§ 1.2. Purpose.**

(A) In broad terms, SEPA requires governmental agencies to

(1) Consider environmental impacts before making important decisions; and

(2) Act to protect the environment by avoiding or reducing ("mitigating") the environmental impacts of proposals, in the context of other vital public goals.

(B) The process the LOTT Alliance uses to consider environmental impacts is the "procedural" side of SEPA. A Board of Directors' decision to approve, condition or reject a proposal or to incorporate any mitigation measures, under authority provided by SEPA, is the "substantive" side of SEPA.

(C) These rules contain the LOTT Alliance's SEPA procedures, which describe the LOTT Alliance's environmental review process under SEPA.

(D) The purpose of these rules is to ensure that all of the LOTT Alliance's actions comply with the provisions and policies of SEPA.

(E) SEPA Application.

(1) SEPA itself does not have any permit requirements. SEPA review is required before a governmental agency takes action on a proposal, such as amending a comprehensive plan or authorizing a public development project. This action is called the "underlying governmental action."

(2) Because SEPA applies only when governmental action is involved, SEPA supplements, or “overlays,” governmental agencies’ regular planning and decision making. SEPA provides a basic process for studying and responding to a proposal’s environmental impacts, especially at the planning stages. The exact nature and timing of the SEPA process can vary for each type of governmental action and for each individual proposal.

(3) There are other environmental laws besides SEPA that apply to specific resources, such as land, air, water, historic areas, wildlife, and health. These other laws may require studies or serve as the basis for altering or canceling proposals.

(4) Compliance with other laws and SEPA shall be coordinated, to the extent LOTT can do so, to reduce “red tape,” improve public involvement, and achieve better decisions.

(5) Anyone who is not sure how SEPA applies to a proposal or an appeal should identify the action (or actions) that the LOTT Alliance or any other government agency must take on the proposal. Except for certain basic requirements in this document, the SEPA process generally follows the timing and procedures for the underlying governmental action.

## **PART TWO GENERAL REQUIREMENTS**

### **§ 2.1. Purpose of this part and adoption by reference.**

This part contains the basic requirements that apply to the SEPA process. The LOTT Alliance adopts the following sections of the SEPA Rules by reference:

#### WAC

197-11-040	Definitions.
197-11-050	Lead agency.
197-11-055	Timing of the SEPA process.
197-11-060	Content of environmental review.
197-11-070	Limitations on actions during SEPA process.
197-11-080	Incomplete or unavailable information.
197-11-090	Supporting documents.
197-11-100	Information required of applicants.
197-11-158	GMA project review—Reliance on existing plans, laws, and regulations.
197-11-164	Planned actions—Definition and criteria.
197-11-168	Ordinances or resolutions designating planned actions—Procedures for adoption.
197-11-172	Planned actions—Project review.
197-11-210	SEPA/GMA integration.
197-11-220	SEPA/GMA Definitions.
197-11-228	Overall SEPA/GMA integration procedures.
197-11-230	Timing of an integrated GMA/SEPA process.
197-11-232	SEPA/GMA integration procedures for preliminary planning, environmental analysis, and expanded scoping.
197-11-235	Documents.
197-11-238	Monitoring.

197-11-250	SEPA/Model Toxics Control Act Integration.
197-11-253	SEPA Lead Agency for MTCA Actions.
197-11-256	Preliminary Evaluation.
197-11-259	Determination of no significance for MTCA remedial action.
197-11-262	Determination of significance for MTCA remedial action.
197-11-265	Early scoping for MTCA remedial actions.
197-11-268	MTCA interim actions.

**§ 2.2. Additional definitions.**

In addition to those definitions contained within WAC 197-11-700 through 197-11-799, when used in these rules, the following terms shall have the following meanings, unless the context indicates otherwise:

(A) “Board of Directors” or “Board” means the board of directors of the LOTT Alliance.

(B) “Executive Director” means the chief administrative officer of the LOTT Alliance.

(C) “Interlocal Agreement” means the agreement entered by the cities of Lacey, Olympia, Tumwater and Thurston County entitled the “Interlocal Cooperation Act Agreement for Wastewater Management by the LOTT Wastewater Alliance,” and dated November 5, 1999.

(D) “LOTT Alliance Staff” means the employees of the LOTT Alliance who have responsibilities for the administration or operations of the LOTT Alliance Wastewater Treatment System.

(E) “LOTT Alliance Wastewater Treatment System” means the joint wastewater treatment facilities and conveyances as described in the Intergovernmental Cooperation Act Agreement for Wastewater Management by the LOTT Wastewater Alliance, dated November 5, 1999, as amended.

(F) “Partner” means any of the members of the LOTT Alliance.

(G) “Responsible Official” means the person or persons responsible for undertaking the LOTT Alliance’s SEPA procedural responsibilities, as designated by Section 2.3 of these rules.

(H) “SEPA Rules” means chapter 197-11 WAC adopted by the Washington Department of Ecology.

(I) “TSC” means the Technical Subcommittee, as defined in the Interlocal Agreement.

**§ 2.3. Designation of responsible official.**

(A) For those proposals for which the LOTT Alliance is the lead agency, the responsible official shall be the Executive Director, or other LOTT Staff as designated by the Executive Director. The responsible official shall, prior to issuing final SEPA determinations (determination of significance, determination of non-significance, or environmental impact statement) consult with the Technical Subcommittee (“TSC”), as defined in the Interlocal Agreement.

(B) For all proposals for which the LOTT Alliance is the lead agency, the responsible official shall make the threshold determination, supervise scoping and preparation of any

required environmental impact statement (“EIS”), and perform any other functions assigned to the “lead agency” or “responsible official” by those sections of the SEPA Rules that are adopted by reference.

(C) The LOTT Alliance shall maintain all documents required by the SEPA Rules and make them available in accordance with Ch. 42.17 RCW.

#### **§ 2.4. Lead agency determination and responsibilities.**

(A) Whenever the LOTT Alliance initiates a proposal that involves a nonexempt action, it shall determine the lead agency for that proposal under WAC 197-11-050 and 197-11-922 through 197-11-940; unless the lead agency has been previously determined, or the LOTT Alliance is aware that another agency is in the process of determining the lead agency.

(B) When the LOTT Alliance is the lead agency for a proposal, the responsible official shall supervise compliance with the threshold determination requirements, and if an EIS is necessary, shall supervise preparation of the EIS.

(C) When the LOTT Alliance is not the lead agency for a proposal, the LOTT Alliance shall use and consider, as appropriate, either the DNS or the final EIS of the lead agency in forming recommendations on the proposal. The LOTT Alliance shall not prepare or require preparation of a DNS or EIS in addition to that prepared by the lead agency, unless required under WAC 197-11-600. In some cases, the LOTT Alliance may conduct supplemental environmental review under WAC 197-11-600.

(D) If the LOTT Alliance receives a lead agency determination made by another agency that appears inconsistent with the criteria of WAC 197-11-922 through 197-11-940, it may object to the determination. Any objection must be made to the agency originally making the determination and resolved within fifteen days of receipt of the determination, or the LOTT Alliance must petition the Department of Ecology for a lead agency determination under WAC 197-11-946 within the fifteen-day time period. Any such petition on behalf of LOTT may be initiated by the responsible official.

#### **§ 2.5. Additional timing considerations.**

For nonexempt proposals, the DNS or the draft or final EIS for the proposal shall accompany the LOTT Staff’s recommendation to the Board.

### **PART THREE CATEGORICAL EXEMPTIONS AND THRESHOLD DETERMINATIONS**

#### **§ 3.1. Purpose of this part and adoption by reference.**

This part contains the rules for deciding whether a proposal has a “probable significant, adverse environmental impact” requiring an environmental impact statement (EIS) to be prepared. This part also contains rules for evaluating the impacts of proposals not requiring an EIS. The LOTT Alliance adopts the following sections by reference, as supplemented in this part:

## WAC

197-11-300	Purpose of this part.
197-11-305	Categorical exemptions.
197-11-310	Threshold determination required.
197-11-315	Environmental checklist.
197-11-330	Threshold determination process.
197-11-335	Additional information.
197-11-340	Determination of nonsignificance (DNS).
197-11-350	Mitigated DNS.
197-11-355	Optional DNS process.
197-11-360	Determination of significance (DS)/initiation of scoping.
197-11-390	Effect of threshold determination.

### **§ 3.2. Use of exemptions.**

(A) Whenever the LOTT Alliance initiates a proposal, the responsible official shall determine whether the proposal is exempt. The responsible official's determination that a proposal is exempt shall be final and not subject to administrative review. If a proposal is exempt, none of the procedural requirements of these rules apply to the proposed. The LOTT Alliance shall not be required to complete an environmental checklist for an exempt proposal.

(B) In determining whether or not a proposal is exempt, the responsible official shall make certain the proposal is properly defined and shall identify the governmental licenses required (WAC 197-11-060). If a proposal includes exempt and nonexempt actions, the responsible official shall determine the lead agency, even if the LOTT Alliance's involvement in the proposal is exempt.

(C) If a proposal includes both exempt and nonexempt actions, the LOTT Alliance may authorize exempt actions prior to compliance with the procedural requirements of these rules, except that it may not give authorization for:

- (1) Any nonexempt action;
- (2) Any action that would have an adverse environmental impact; or
- (3) Any action that would limit the choice of alternatives.

## **PART FOUR ENVIRONMENTAL IMPACT STATEMENT (EIS)**

### **§ 4.1. Purpose of this part and adoption by reference.**

This part contains the rules for preparing environmental impact statements. The LOTT Alliance adopts the following sections by reference, as supplemented by this part:

## WAC

197-11-400	Purpose of EIS.
197-11-402	General requirements.

197-11-405	EIS types.
197-11-406	EIS timing.
197-11-408	Scoping.
197-11-410	Expanded scoping. (Optional)
197-11-420	EIS preparation.
197-11-425	Style and size.
197-11-430	Format.
197-11-435	Cover letter or memo.
197-11-440	EIS contents.
197-11-442	Contents of EIS on nonproject proposals.
197-11-443	EIS contents when prior nonproject EIS.
197-11-444	Elements of the environment.
197-11-448	Relationship of EIS to other considerations.
197-11-450	Cost-benefit analysis.
197-11-455	Issuance of DEIS.
197-11-460	Issuance of FEIS.

**§ 4.2. Preparation of EIS--Additional considerations.**

(A) Preparation of draft and final EISs (DEIS and FEIS) and draft and final supplemental EISs (SEIS) is the responsibility of LOTT Staff working under the direction of the responsible official. Before the LOTT Alliance issues an EIS, the responsible official shall be satisfied that it complies with these rules, SEPA and the SEPA Rules.

(B) The DEIS and FEIS or draft and final SEIS shall be prepared by the LOTT Staff, or by a consultant selected according to LOTT's procedures.

**PART FIVE COMMENTING**

**§ 5.1. Adoption by reference.**

This part contains rules for consulting, commenting, and responding on all environmental documents under SEPA, including rules for public notice and hearings. The LOTT Alliance adopts the following sections by reference, as supplemented in this part:

WAC

197-11-500	Purpose of this part.
197-11-502	Inviting comment.
197-11-504	Availability and cost of environmental documents.
197-11-508	SEPA register.
197-11-535	Public hearings and meetings.
197-11-545	Effect of no comment.
197-11-550	Specificity of comments.
197-11-560	FEIS response to comments.
197-11-570	Consulted agency costs to assist lead agency.

**§ 5.2. Public notice.**

(A) Whenever the SEPA Rules or these rules require notice to be given under this

section or WAC 197-11-510, the LOTT Alliance shall give public notice as follows:

(1) LOTT shall publish notice in a newspaper of general circulation in the county, city, or general area where the proposal is located;

(2) LOTT shall file the documents required by WAC 197-11-508 with the state Department of Ecology for publication of notice in the state SEPA Register;

(3) LOTT shall post notice on the LOTT Alliance website (provided that temporary inaccessibility of the website for technical reasons shall not affect validity of notice); and

(4) LOTT shall, for project actions involving construction of facilities by the LOTT Alliance on a specific site, post notice at such sites, provided the current landowner (if not the LOTT Alliance) voluntarily allows LOTT to post such notice.

## **PART SIX USING EXISTING ENVIRONMENTAL DOCUMENTS**

### **§ 6.1. Purpose of this part and adoption by reference.**

This part contains rules for using and supplementing existing environmental documents prepared under SEPA or National Environmental Policy Act (NEPA) for LOTT's own environmental compliance. LOTT adopts the following sections by reference:

#### WAC

197-11-600	When to use existing environmental documents.
197-11-610	Use of NEPA documents.
197-11-620	Supplemental environmental impact statement Procedures.
197-11-625	Addenda--Procedures.
197-11-630	Adoption--Procedures.
197-11-635	Incorporation by reference--Procedures.
197-11-640	Combining documents.

## **PART SEVEN SEPA AND AGENCY DECISIONS**

### **§ 7.1. Purpose of this part and adoption by reference.**

This part contains rules concerning SEPA's substantive authority, such as decisions to modify proposals as a result of SEPA. This part also contains procedures for appealing SEPA determinations to agencies or the courts. The LOTT Alliance adopts the following sections by reference:

#### WAC

197-11-650	Purpose of this part.
197-11-655	Implementation.

197-11-660 Substantive authority and mitigation.  
197-11-680 Appeals.

## **§ 7.2. SEPA Policies.**

In formulating decisions, the LOTT Alliance shall consider the state policies set forth in RCW 43.21C.020. It is understood that any Partner that makes permitting decisions for site-specific LOTT Alliance projects may apply, in their permitting capacity, their own SEPA policies to condition such permits with appropriate mitigation measures.

## **§ 7.3. Administrative Appeals.**

The following provisions shall apply to appeals from environmental determinations made by the LOTT Alliance:

(A) SEPA Decisions Subject to Administrative Appeal. Administrative appeals are provided for final SEPA procedural determinations (e.g., DNS or final EIS), except that an administrative appeal is not provided for a determination of significance. Appeals of the intermediate steps under SEPA (e.g., lead agency determination, scoping, draft EIS adequacy) are not allowed.

(B) Who May Appeal. A party wishing to file an administrative appeal of a LOTT Alliance SEPA determination under this section (Petitioner) must demonstrate that his or her interests are arguably within the zone of interests protected by SEPA and that the SEPA determination under appeal will cause the Petitioner injury-in-fact. In addition, to file an administrative appeal of an EIS issued by the LOTT Alliance, the Petitioner must demonstrate that he or she provided timely written or oral comments on the draft EIS.

(C) How to Appeal. Appeals of SEPA determinations are made by mailing or delivering a letter of appeal to the LOTT Alliance Executive Director. Appeals received by facsimile transmission are acceptable, but electronic mail (email) transmission is not acceptable. The letter must include the information and filing fee set out in Section 7.3(E) below.

(D) Timing of Appeals. The letter of appeal and filing fee must be received by the office of the Executive Director by 5:00 p.m. of the fourteenth (14th) calendar day following the date the challenged environmental document or determination is issued. In order to allow public comment on a DNS prior to requiring an administrative appeal be filed, this appeal period shall be extended for an additional seven (7) days if the appeal is of a DNS for which public comment is required under the SEPA Rules. When the last day of an appeal period is a Saturday, Sunday, or a national, state, or LOTT Alliance holiday, the appeal period runs until 5 p.m. on the next business day.

(E) Filing Appeals. For an appeal to be accepted, the letter of appeal must:

1. Be in writing;
2. Contain a statement that sets forth:
  - (a) The basis for the Petitioner's standing, including

- i. How the Petitioner's interests are arguably within the zone of interests protected by SEPA; and
- ii. How the SEPA decision being appealed will cause the Petitioner injury-in-fact. If the alleged injury-in-fact has not already occurred, Petitioner must set forth facts establishing the immediate, concrete, and specific future injury-in-fact that will occur to that Petitioner as a result of the SEPA determination under appeal;

- (b) The document or determination being appealed;
- (c) The specific errors complained of;
- (d) The corrective action being sought;
- (e) The reasons why the determination should be changed;
- (f) Whether further oral or written comment or a hearing is requested; and
- (g) The signature, address, and phone number of the Petitioner and the name and address of Petitioner's designated representative, if any.

Supporting documents may be submitted with the letter of appeal;

- 3. Be accompanied by an appeal fee of \$230.00, escalated each calendar year after 2001 using the U. S. Bureau of Labor Statistics Consumer Price Index Seattle Urban Wage Earners W (CPI-W). (The current fee for a calendar year is available from the responsible official.); and
- 4. Be timely received by the office of the Executive Director, as described in 7.3(D), above.

Failure to comply with the procedural requirements of this section is grounds for dismissal of an appeal.

(F) Hearing Examiner. If an appeal is determined to contain all of the elements listed under Section 7.3(E) above, the Executive Director shall appoint to hear the appeal an individual familiar with SEPA and hearing procedures as Hearing Examiner.

(G) Appeal Procedures. The Hearing Examiner will conduct an appeal hearing consistent with these rules and procedures, applicable legal requirements, and any Hearing Examiner Rules of Practice and Procedure adopted by the Executive Director pursuant to section 7.3(J) of these rules.

(H) Deadlines. The Hearing Examiner shall have thirty (30) days after securing sufficient information to issue a written decision.

(I) Appeal Hearing. A hearing shall be provided if requested by the Petitioner. Multiple appeals of the same SEPA decision shall be consolidated for hearing. The hearing shall

provide reasonable opportunity for the parties to present oral or written testimony and argument, consistent with these rules, SEPA and the SEPA Rules. Procedural determinations made by the responsible official shall be entitled to substantial weight. Consistent with any rules of practice and procedure adopted pursuant to section 7.3(J), the Hearing Examiner may by order establish case-specific procedures for the hearing, and may set the time period allowed for each party to the appeal, including LOTT Staff, to file documents and to present its case. The Hearing Examiner shall prepare a record for use in any subsequent appeal proceedings. The record shall consist, at minimum, of findings and conclusions, testimony under oath, and taped or written transcript.

(J) Authority of Executive Director to Adopt Hearing Examiner Rules of Practice and Procedure. The Executive Director shall have the authority to adopt rules of practice and procedure for the Hearing Examiner to use in implementing this section and may delegate this authority to appropriate LOTT Staff. Adoption of or amendments to these rules of practice and procedure by the Executive Director (or the Executive Director's delegates) does not require legislative action by the LOTT Alliance Board.

(K) Exhaustion of Administrative Appeal Procedures. A party seeking judicial review of an LOTT Alliance SEPA decision subject to appeal under this section must, before seeking any judicial review, exhaust the administrative appeal procedures of this section. Any subsequent judicial review shall be conducted based on the record compiled for the administrative appeal hearing, pursuant to RCW 43.21C.075 and consistent with other applicable law.

#### **§ 7.4. Notice/statute of limitations.**

(A) The LOTT Alliance may publish a notice of action pursuant to RCW 43.21C.080 for any action.

(B) The form of the notice shall be substantially in the form provided in WAC 197-11-990. The notice shall be made available by the responsible official pursuant to RCW 43.21C.080.

## **PART EIGHT DEFINITIONS**

### **§ 8.1. Purpose of this part and adoption by reference.**

This part contains uniform usage and definitions of terms under SEPA. LOTT adopts the following sections by reference, as supplemented by Section 2.2:

#### WAC

197-11-700	Definitions.
197-11-702	Act.
197-11-704	Action.
197-11-706	Addendum.
197-11-708	Adoption.
197-11-710	Affected tribe.
197-11-712	Affecting.

197-11-714 Agency.  
197-11-716 Applicant.  
197-11-718 Built environment.  
197-11-720 Categorical exemption.  
197-11-721 Closed record appeal.  
197-11-722 Consolidated appeal.  
197-11-724 Consulted agency.  
197-11-726 Cost-benefit analysis.  
197-11-728 County/city.  
197-11-730 Decision maker.  
197-11-732 Department.  
197-11-734 Determination of no significance (DNS).  
197-11-736 Determination of significance (DS).  
197-11-738 EIS.  
197-11-740 Environment.  
197-11-742 Environmental checklist.  
197-11-744 Environmental document.  
197-11-746 Environmental review.  
197-11-750 Expanded scoping.  
197-11-752 Impacts.  
197-11-754 Incorporation by reference.  
197-11-756 Lands covered by water.  
197-11-758 Lead agency.  
197-11-760 License.  
197-11-762 Local agency.  
197-11-764 Major action.  
197-11-766 Mitigated DNS.  
197-11-768 Mitigation.  
197-11-770 Natural environment.  
197-11-772 NEPA.  
197-11-774 Nonproject.  
197-11-775 Open record hearing.  
197-11-776 Phased review.  
197-11-778 Preparation.  
197-11-780 Private project.  
197-11-782 Probable.  
197-11-784 Proposal.  
197-11-786 Reasonable alternative.  
197-11-788 Responsible official.  
197-11-790 SEPA.  
197-11-792 Scope.  
197-11-793 Scoping.  
197-11-794 Significant.  
197-11-796 State agency.  
197-11-797 Threshold determination.  
197-11-799 Underlying governmental action.

**PART NINE  
CATEGORICAL EXEMPTIONS**

**§ 9.1. Adoption by reference.**

The LOTT Alliance adopts by reference the following rules for categorical exemptions, as supplemented in these rules, including Section 3.2:

WAC

- 197-11-800 Categorical exemptions.
- 197-11-880 Emergencies.
- 197-11-890 Petitioning DOE to change exemptions.

**PART TEN  
AGENCY COMPLIANCE**

**§ 10.1. Purpose of this part and adoption by reference.**

This part contains rules for agency compliance with SEPA, including rules for charging fees under the SEPA process, designating environmentally sensitive areas, listing agencies with environmental expertise, selecting the lead agency, and applying these rules to current agency activities. The LOTT Alliance adopts the following sections by reference:

WAC

- 197-11-900 Purpose of this part.
- 197-11-902 Agency SEPA policies.
- 197-11-916 Application to ongoing actions.
- 197-11-920 Agencies with environmental expertise.
- 197-11-922 Lead agency rules.
- 197-11-924 Determining the lead agency.
- 197-11-926 Lead agency for governmental proposals.
- 197-11-928 Lead agency for public and private proposals.
- 197-11-930 Lead agency for private projects with one agency with jurisdiction.
- 197-11-932 Lead agency for private projects requiring licenses from more than one agency, when one of the agencies is a county/city.
- 197-11-934 Lead agency for private projects requiring licenses from a local agency, not a county/city, and one or more state agencies.
- 197-11-936 Lead agency for private projects requiring licenses from more than one state agency.
- 197-11-938 Lead agencies for specific proposals.
- 197-11-940 Transfer of lead agency status to a state agency.
- 197-11-942 Agreements on lead agency status.
- 197-11-944 Agreements on division of lead agency duties.
- 197-11-946 DOE resolution of lead agency disputes.
- 197-11-948 Assumption of lead agency status.

**§ 10.2. Fees.**

The LOTT Alliance may charge any person for copies of any document prepared under these rules, and for mailing the document, in a manner provided by Ch. 42.17 RCW.

**§ 10.3. Effective date.**

The effective date of these rules is June 22<sup>nd</sup>, 2001, with the Board of Directors' adoption of Resolution 01-008.

**§ 10.4. Severability.**

If any provision of these rules or their application to any person or circumstance is held invalid, the remainder of these rules, or the application of the provision to other persons or circumstances, shall not be affected.

**PART ELEVEN  
FORMS**

**§ 11.1. Adoption by reference.**

The LOTT Alliance adopts the following forms and sections by reference:

WAC

- 197-11-960 Environmental checklist.
- 197-11-965 Adoption notice.
- 197-11-970 Determination of nonsignificance (DNS).
- 197-11-980 Determination of significance and scoping notice (DS).
- 197-11-985 Notice of assumption of lead agency status.
- 197-11-990 Notice of action.