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Secretary of Transportation

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Date

## **Environmental Policy Statement**

### **I. Introduction**

Washington state law directs the Washington State Department of Transportation (WSDOT) “to enhance Washington’s quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment” (Revised Code of Washington [\[RCW\] 47.04.280\(1\)\(e\)](#)).

The purpose of this Secretary’s Executive Order is to provide clear direction on meeting WSDOT’s environmental responsibilities. Our employees support the state’s goal of enhancing Washington’s quality of life by following sound environmental protection practices in the planning, design, construction, operation, and maintenance of WSDOT’s transportation systems and assets.

#### **A. Supersession**

This Secretary’s Executive Order supersedes and replaces the prior version with the same title, dated December 2, 2016. All references to the superseded E 1018.02 now reference E 1018.03.

#### **B. What Has Changed**

This revision makes the following changes:

- In Section II, it revises language throughout the section and adds direction regarding environmental justice and tribal treaty rights.
- In Section III, it updates information regarding the management and employee responsibilities and Environmental Compliance Assurance Procedures.
- In Section IV, it adds information to locate WSDOT environmental experts by topic.
- In Section V, it updates the list of references.
- In Section VI, it adds language about leadership review and replaces references to the Assistant Secretary of Engineering and Regional Operations with references to the Director of the Development Division.

### **II. Secretary’s Executive Order**

WSDOT’s employees are directed to conduct business in a safe, secure, and environmentally sustainable manner that protects the human and the natural environment of the state.

Our efforts are guided by the agency's sustainability value and our goal for environmental stewardship:

- WSDOT will make decisions and take actions that promote the conservation of resources for future generations by focusing on the balance of economic, environmental, and community needs.
- WSDOT will promote sustainable practices to reduce greenhouse gas emissions and protect natural habitat and water quality.

To meet these expectations, it is necessary for WSDOT to work with our communities, regulators, and transportation partners. WSDOT will:

- Engage all communities that are likely to be affected by proposed transportation plans and projects, including minority and low-income populations and those with limited English proficiency (LEP).
- Enhance our decision-making processes to advance environmental justice and increase social equity.
- Work with the tribes and federal, state, and local agencies to adequately protect our state's natural and cultural resources.
- Consult with tribes in order to protect treaty reserved rights and resources.
- Bring benefits to the environment and our citizens' health and safety as we deliver and operate the state's transportation systems and services.

Environmental stewardship is fundamental to the agency's Practical Solutions and Inclusion goals. The cultural, historic, and environmental context should be considered in plans, projects, and activities, and all community perspectives should be sought and included in decisions. To ensure full accountability and efficiency, we regularly report our environmental performance, and we strive for the most effective and efficient environmental review and approval processes. Employees are encouraged to apply Lean principles to achieve continuous improvement in our overall environmental performance.

WSDOT strictly adheres to the agency's Environmental Compliance Assurance Procedures, per [RCW 47.85.040](#) *Environmental training and compliance* regarding transportation project delivery and review.

### **III. Information to Carry Out This Secretary's Executive Order**

#### **A. Management Responsibilities**

Managers and supervisors are expected to be familiar with this policy and the related agency policies listed below. Managers will provide the direction and resources necessary so employees who are responsible for environmental stewardship and compliance can effectively implement WSDOT's environmental procedures. This includes addressing all potential non-compliance events in a timely manner and taking steps to prevent recurrence (per [RCW 47.85.040](#)).

#### **B. Employee Responsibilities**

All employees should be aware of WSDOT's commitment to environmental stewardship, compliance with legal and other requirements, prevention of pollution, and continuous improvement. Employee activities that relate to this Secretary's Executive Order include, but are not limited to, project delivery, maintenance, operations,

environmental impact avoidance and mitigation, and compliance with environmental laws, treaties, commitments, and agreements.

All WSDOT employees are expected to:

- Participate in training concerning the department's environmental stewardship responsibilities as appropriate to their job functions.
- Be familiar with and adhere to all environmental commitments, policies, and procedures applicable to their activities.
- Include all community perspectives, including from under-represented groups and environmental justice populations, in environmental decisions.
- Effectively communicate environmental compliance concerns as well as opportunities to increase the effectiveness of WSDOT's environmental practices with their coworkers, supervisor, and appropriate environmental staff.

WSDOT employees assigned to environmental positions are further directed to:

- Communicate to contractors, consultants, and other partners the best management practices, safety and environmental hazards, and compliance requirements WSDOT has established.
- Consistently report compliance concerns and review environmental performance measures as a basis to continually improve the department's environmental performance.
- Maintain, and regularly update, familiarity with the environmental protection policies and procedures associated with their work.
- Effectively implement WSDOT's environmental procedures and, when necessary, confirm appropriate action is taken to remedy non-compliant work (per [RCW 47.85.040](#)).

WSDOT project engineers, maintenance engineers, and others as outlined in WSDOT's Environmental Compliance Assurance Procedures are further directed to recognize, remedy, report, and document environmentally non-compliant work.

## **C. Resources and Other Information**

### **1. Environmental Contacts**

WSDOT has environmental experts throughout the agency. Statewide policy and procedures are set by the following offices: Environmental Services, Local Programs, Maintenance Operations, and Ferries. In addition, designated environmental staff in the regions and modes work closely with headquarters and serve as the primary source of environmental support for region and modal activities and project delivery. For a list, see Section IV.

### **2. Environmental Manual M 31-11**

WSDOT's *Environmental Manual M 31-11* provides guidance for complying with federal, state, tribal, and local environmental laws and regulations and agency policies during all phases of the transportation decision-making process. The *Environmental Manual* is referenced in other internal agency manuals to provide consistency across all program areas. The manual is supported by online technical

guidance and tools to help regional and modal staff and consultants fulfill environmental requirements.

### 3. Environmental Compliance Assurance

WSDOT programs and projects maintain an environmental compliance data system to track permit conditions, environmental commitments, and violations. WSDOT design, construction, and maintenance programs follow Environmental Compliance Assurance Procedures (ECAPs). The purpose of the ECAPs is to recognize and rectify environmental non-compliance events during all phases of transportation asset management. These procedures specify the required actions to notify WSDOT management and regulatory agencies. Non-compliance events are defined as actions that violate environmental permits, agreements, laws, or regulations. WSDOT reports annual compliance in the *Gray Notebook* and delivers a separate report on all violations to the Legislature each year on March 1st.

Washington State Ferries (WSF) follows compliance procedures outlined in the *WSF Terminal Design Manual* M 3082 for design, construction, and maintenance ECAPs, and WSF Safety Management System protocols for spill compliance during terminal and vessel operations.

### 4. Environmental Training

WSDOT supports and delivers quality training in environmental procedures and permit requirements. For more information, see the [Environmental Training](#) webpage.

## IV. Contact for More Information

For questions or concerns about this Secretary's Executive Order, contact the Headquarters Environmental Services Office by phone at 360-705-7483 or contact statewide environmental managers shown on the [Environmental Services Contacts](#) webpage. WSDOT employees can also locate an environmental [expert by topic](#) via the Environmental Services intranet home page.

## V. References

- [RCW 47.85.040](#) *Environmental training and compliance*
- [Governor's Executive Order 18-02](#) *Southern Resident Killer Whale Recovery and Task Force*
- [Governor's Executive Order 20-01](#) *State Efficiency and Environmental Performance*
- Secretary's Executive Order [E 1025](#) *Tribal Consultation*
- Secretary's Executive Order [E 1031](#) *Protections and Connections for High Quality Natural Habitats*
- Secretary's Executive Order [E 1087](#) *Title VI Policy*
- Secretary's Executive Order [E 1102](#) *Wetlands Protection and Preservation*
- Secretary's Executive Order [E 1113](#) *Sustainability*
- *Construction Manual* M 41-01, Section SS 1-07.5, Environmental Regulations, Environmental Compliance Assurance Procedure

- *Design Manual* M 22-01, Section 225.05(1), Environmental Compliance During Design Phase
- *Environmental Manual* M 31-11
- *Local Agency Guidelines* M 36-63
- *WSF Terminal Design Manual* M 3082

## **VI. Review and Update Requirements**

When changes are necessary to update this document, inform the Director of the Development Division.

The Director of the Development Division reviews this document periodically and proposes updates for leadership review and approval by the Secretary of Transportation.

## **Americans with Disabilities Act (ADA) Information**

This material can be made available in an alternate format by emailing the Office of Equal Opportunity at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.