

# HOUSE BILL REPORT

## ESB 5279

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**As Reported by House Committee On:**  
Transportation

**Title:** An act relating to extending the expiration date of the transportation permit efficiency and accountability committee.

**Brief Description:** Extending the expiration date of the transportation permit efficiency and accountability committee.

**Sponsors:** Senators Prentice, Swecker, Horn, Haugen, Doumit, Finkbeiner, Benton, Esser, Morton, Johnson, T. Sheldon, Hargrove, Brandland, Honeyford, Jacobsen, Oke and Rasmussen.

**Brief History:**

**Committee Activity:**

Transportation: 3/24/03, 3/26/03 [DP].

**Brief Summary of Engrossed Bill**

- The Transportation Permit Efficiency and Accountability Committee (TPEAC) is extended to March 31, 2006.
- Goals for specific outcomes are established and detailed work plans and dates are specified.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 26 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Morris, Nixon, Romero, Shabro, Sullivan, Wallace, Wood and Woods.

**Minority Report:** Do not pass. Signed by 2 members: Representatives Mielke and Schindler.

**Staff:** Gene Baxstrom (786-7303).

**Background:**

The enactment of Senate Bill 6188 in 2001 established an evaluation of the transportation permitting process, with the goal of streamlining the issuance of permits, while maintaining or improving environmental benefits. The legislation created the TPEAC. The TPEAC's objective was to achieve transportation permit reform that expedites the delivery of transportation projects through a streamlined approach to environmental permit decision making. The TPEAC was directed to conduct three environmental permit streamlining projects, develop a one-stop permit decision-making process, seek federal delegation of permitting where appropriate, develop a dispute resolution process, develop environmental standards and best management practices, and establish a watershed-based approach to mitigation. The TPEAC established several working subcommittees and has completed some of its tasks, with several other tasks yet to be completed.

The TPEAC includes nine voting members: four members of the Legislature; three members, one of each from the Department of Transportation (DOT), Department of Ecology (DOE), and Department of Fish and Wildlife (DFW); and city and county representatives. Eight non-voting members include business, tribal, trade and environmental organizations. Federal agencies also participate.

The TPEAC expires March 31, 2003.

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### **Summary of Bill:**

The TPEAC is extended to March 31, 2006. The TPEAC's annual report is to detail its performance and progress in implementing its work plan. Goals for specific outcomes are established and detailed work plans and dates are set forth as follows:

One stop permitting for projects of statewide significance: By June 30, 2003, the TPEAC is to develop a detailed work plan including a process enabling the DOT to propose permit terms and conditions for permitting agency review and approval. A status report is required by December 31, 2003, identifying barriers and opportunities for concurrent public review processes and hearings and a unified appeals process.

Programmatic permits: A goal is set for 70 percent of the DOT construction projects or activities to be addressed with programmatic agreements. By June 30, 2003, the TPEAC is to prioritize programmatic opportunities, develop a detailed work plan to achieve goals, and prioritize a list of the DOT activities eligible for programmatic permits. By June 30, 2004, it is to develop a schedule to achieve the nine highest priority agreements and by December 31, 2005, develop a schedule for achieving the full list of programmatic. The TPEAC is also to identify opportunities to integrate local government requirements in those agreements.

Pilot projects: The TPEAC is to conduct one or more projects to implement the collaborative review process to coordinate state and local permits set forth in the Growth

Management Act.

Local government permits: The TPEAC is to identify permits for which uniform standards can be developed for local governments. It is to identify strategies to adapt these standards and best practices for those permits. A progress report is required by December 31, 2003, with final recommendations due by December 31, 2004.

Watershed based mitigation: The TPEAC is to develop a detailed work plan by June 30, 2003, including activities and resources needed to: complete a mitigation policy by December 31, 2003; develop decision making tools by June 30, 2004; test of technical and policy methods by December 31, 2004; and integrate policies and procedures for projects by June 30, 2005.

Delegation of federal permit authority: The DOT, the DOE and the DFW are to report to the TPEAC by September 30, 2003, where delegation is possible. The report is to address federal initiatives, maximizing programmatic approaches, responsibilities of respective agencies, and a work plan and schedule of activities for those reporting agencies. The TPEAC is to act on that report and report every six months beginning December 31, 2003, on the status of delegation efforts.

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**Appropriation:** None.

**Fiscal Note:** Not available.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** This legislation focuses the efforts of the TPEAC and sets specific goals and dates for achieving those goals. The work that the TEPAC has been doing the past 20 months has paid some dividends and some of its other efforts are near fruition. Improved permit processing will expedite project development and reduce transportation project costs. The TPEAC should not concern itself with just accelerating the permitting process but must also address methods to improve the results of environmental mitigation efforts.

**Testimony Against:** None

**Testified:** (In support) Scott Merriman, Association of Counties; Doug MacDonald, Department of Transportation; and Duke Schaub, Washington Association of General Contractors.

(With concerns) Bruce Wishardt, People for Puget Sound.