

# HOUSE BILL REPORT

## HB 2049

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**As Reported by House Committee On:**  
Local Government

**Title:** An act relating to enhanced permit assistance pilot programs.

**Brief Description:** Authorizing enhanced permit assistance pilot programs.

**Sponsors:** Representatives Kilmer, Haler, Wallace, Walsh, Sells, Springer, Upthegrove, Simpson, Chase and Linville.

**Brief History:**

**Committee Activity:**

Local Government: 2/23/05, 3/1/05 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes the Office of Permit Assistance (OPA) to select two local government planning and permitting offices to participate in an enhanced permit assistance pilot program.
- Requires the OPA to disseminate information about best permitting practices to local government permitting offices.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Simpson, Chair; Clibborn, Vice Chair; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan, Takko and Woods.

**Staff:** CeCe Clynch (786-7168).

**Background:**

In 1995, the Permit Assistance Center (PAC) was created in the Department of Ecology to provide information regarding environmental permitting laws and assistance to businesses and public agencies in complying with these laws. In 2002, the funding, powers, duties, functions and records of the PAC were transferred to the Office of Permit Assistance (OPA) which was created in the Office of Financial Management to be administered by the Office of the Governor.

The OPA is required to operate on the principle that state citizens should receive:

- a date and time for a decision on a permit;
- the information required to make a decision on a permit, recognizing that project changes or other circumstances may change the information required; and
- an estimate of the maximum amount of costs in fees, studies, or public processes that will be incurred by the applicant.

Duties of the OPA include:

- providing information, including permit handbooks and contact persons;
- developing a call center and a web site;
- working to develop informal processes for dispute resolution between agencies and project applicants;
- conducting customer surveys to evaluate its effectiveness;
- prioritizing expenditures of general fund money to provide services to small project applicants;
- providing biennial reports to the Legislature on OPA performance, identified statutory or regulatory conflicts, and on the use of outside independent consultants in the coordinated permit process; and
- providing facilitation services upon request, including appointment of a project coordinator.

The OPA may provide active project coordination either: (1) upon the project applicant's request based on a written cost reimbursement agreement; or (2) with the project applicant's assent and at the OPA's expense when the OPA determines it is in the public interest to do so. An OPA project coordinator conducts project scoping, serves as the project applicant's contact person, coordinates permit processes, and assists in resolving conflicts.

In 2004, a section was added authorizing state permitting agencies to enter into agreements with permit applicants and each other for the purpose of setting the timelines they will use for making permit decisions. The goal is to achieve maximum efficiency by means of concurrent studies and consolidation of applications, review, comment periods, and hearings. The agencies are required to commit to the timelines set in the agreement.

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### **Summary of Substitute Bill:**

Recognizing that local permitting departments may not be sufficiently funded or organized to the extent necessary to provide enhanced technical assistance for the myriad of applicants and projects, the duties of the OPA are expanded to include disseminating information about best permitting practices to local government permitting departments. Additionally, the OPA is to select two local planning and permitting offices to participate in an enhanced permit assistance pilot program. "Enhancements" may include but are not limited to:

- creation of local and state interagency planning and permit review teams;
- use of advanced online planning and permit applications;
- using loaned executives; and
- additional technical assistance and guidance for permit applicants.

There is included a \$200,000 appropriation from the State General Fund for this pilot program.

**Substitute Bill Compared to Original Bill:**

The pilot program is to encompass the planning process as well as other permit processes.

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**Appropriation:** \$200,000 is appropriated from the State General Fund for the fiscal year ending June 30, 2006

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Permitting challenges and delays often impede growth. Several local permitting agencies have made improvements but still could use a hand in implementing best permitting practices. This pilot program is a way to put best practices into actual practice. The current bill focuses upon expediting building permits. Since there are often delays in the planning process rather than the building permit process, it is suggested that the bill be amended to include the planning process as well.

**Testimony Against:** None.

**Persons Testifying:** Representative Kilmer, prime sponsor; and Mike Ryherd, American Planning Association.

**Persons Signed In To Testify But Not Testifying:** (In support) Kristen Sawin, Association of Washington Business; Dave Williams, Association of Washington Cities; and Paul Parker, Washington State Association of Counties.