

SENATE BILL REPORT

SB 5763

AS OF FEBRUARY 22, 1993

Brief Description: Integrating state and local permit requirements at the department of transportation.

SPONSORS: Senator Prentice

SENATE COMMITTEE ON TRANSPORTATION

Staff: Robin Rettew (786-7306)

Hearing Dates: February 22, 1993

BACKGROUND:

The Washington State Department of Transportation (WSDOT) is currently subject to approximately 30 federal, state, and local permitting regulations.

As local governments adopt critical area ordinances pursuant to the Growth Management Act (GMA), additional permitting requirements may be developed. One hundred and eighty one cities and 26 counties are currently planning under the GMA.

Many construction projects cross local jurisdiction boundaries. This results in WSDOT applying for a number of permits which are often duplicative and unsynchronized.

Permit applications are not generally considered complete by the regulatory agencies until the WSDOT has substantially completed the design of a project. Applying for a permit at this late point in project development often requires substantial design changes which results in additional delays and cost increases.

It takes twice as long today as it did two years ago to obtain all of the required permits for an average construction project. Project delays result in significant cost increases associated with inflation.

SUMMARY:

In order to expedite the permitting process, two new activities are proposed. The first is the development of environmental policies and procedures as they pertain to transportation construction and maintenance activities. These policies and procedures are developed by a multidisciplinary body including representatives from the Departments of Ecology, Fisheries, Wildlife, Natural Resources, the Puget Sound Water Quality Authority, cities, counties, regional transportation planning organizations, and tribal organizations.

The policies and procedures are to be approved by a 12 member joint select legislative committee consisting of two members each from the House of Representatives Environmental Affairs Committee, the House of Representatives Committee on Local Government, the Senate Committee on Ecology and Parks, and the Senate Committee on Government Operations. The Legislative Transportation Committee appoints four members.

The Secretary of Transportation must present recommendations resulting from the policies and procedures interagency work group to the joint select legislative committee no later than June 30, 1995.

WSDOT is directed to submit designated information to all relevant regulatory agencies early in the project development process. Regulatory agencies reviewing the initial request must respond to WSDOT within 30 days. WSDOT, in turn, is granted 30 days to respond to the concerns identified by the regulatory agencies. The permitting agency, in turn, has 15 days to either approve or disapprove the application for a conditional permit.

If disapproved, WSDOT ceases all activity on the project.

If the conditional approval is denied, there must be a description of the legal grounds for such denial.

If the conditional permit application is approved, but costs are identified in excess of those submitted by WSDOT in the final design report, such costs are to be borne by the permit granting agency.

WSDOT must still apply for all relevant federal, state, and local permits.

Appropriation: none

Revenue: none

Fiscal Note: requested