

FINAL BILL REPORT

SHB 3110

C 181 L 98

Synopsis as Enacted

Brief Description: Considering fish in advanced environmental mitigation.

Sponsors: By House Committee on Transportation Policy & Budget (originally sponsored by Representatives Mastin, Buck and K. Schmidt).

House Committee on Transportation Policy & Budget
Senate Committee on Transportation

Background: During the design and construction of state Department of Transportation (DOT) projects, efforts are made to avoid and/or minimize impacts on the environment. When adverse impacts cannot be avoided, they have been traditionally mitigated as part of the subject transportation project (i.e., wetlands filled by the transportation project are mitigated by constructing new wetlands within the transportation project bounds). Many times, on-site conditions are not favorable for effective mitigation. Transportation project development time lines may not allow for an adequate mitigation site selection/development process, and cost-effective opportunities for partnering on mitigation sites with other jurisdictions are lost because mitigation is directly tied to project funds. In many instances, local governments or other organizations have asked the DOT to participate in the development of cost-effective, multi-party environmental facilities, but the DOT could not participate due to lack of available funding.

These issues led to the creation of an advanced environmental mitigation revolving account in 1997. This account is structured to purchase and develop environmental mitigation sites that will be needed in the foreseeable future. DOT projects would then replenish the account by using project dollars to purchase "credit" from the advance mitigation site to mitigate adverse impacts caused by the subject project. Advanced environmental mitigation must be consistent with the Council of Environmental Quality regulations and the Governor's executive order on wetlands, and may only be used on projects approved by the Transportation Commission. However, priorities within the advanced environmental mitigation account are not clarified.

Summary: Prioritization within the advanced environmental mitigation account is clarified. A legislative finding is made that fish passage, fish habitat, wetlands and flood management to be critical issues in the effective management of watersheds in Washington.

Advanced environmental mitigation must give consideration to activities related to fish passage, fish habitat, wetlands and flood management. (This provides direction to the DOT when using advanced environmental mitigation.)

Flood management and flood hazard reduction pilot projects are established. The departments of Transportation and Ecology are required to convene a technical committee of state agencies and local and tribal governments that will provide guidance for expenditures related to flood management and flood hazard reduction projects receiving advance mitigation funding. The technical committee is required to identify opportunities for coordination on flood-related issues and report to the appropriate legislative committees by December 1, 1998.

Votes on Final Passage:

House 96 0

Senate 47 0

Effective: June 11, 1998