

# HOUSE BILL REPORT

## HB 1204

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**As Reported By House Committee On:**  
Capital Budget

**Title:** An act relating to coordination of environmental restoration and land acquisition.

**Brief Description:** Coordinating land acquisition and environmental mitigation activities.

**Sponsors:** Representatives K. Schmidt, Fisher, Romero, Mitchell, G. Chandler, Murray, Linville and Wood.

**Brief History:**

**Committee Activity:**

Capital Budget: 2/18/99; 3/8/99 [DPS].

<p><b>Brief Summary of Substitute Bill</b></p> <ul style="list-style-type: none"><li>· Creates an advisory committee of state agencies to coordinate state environmental projects.</li></ul>
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### HOUSE COMMITTEE ON CAPITAL BUDGET

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Mitchell, Republican Co-Chair; Murray, Democratic Co-Chair; Edmonds, Democratic Vice Chair; Esser, Republican Vice Chair; Alexander; Anderson; Barlean; Bush; Constantine; Dunshee; Hankins; Koster; Lantz; Mastin; Miloscia; O'Brien; Ogden and Schoesler.

**Staff:** Bill Robinson (786-7140).

**Background:**

The 1997-99 Capital Budget directed all state agencies receiving money in the capital budget or the transportation budget for land acquisition and environmental mitigation and restoration to coordinate those activities. The intent of the directive was to provide greater emphasis on shared resource management; improve ecological benefits gained from state expenditures; and increase mitigation credit opportunities for the Department of Transportation. The mitigation credits were not intended to reduce the

Department of Transportation's mitigation obligations, but to reduce the cost of those obligations.

The Office of Financial Management was directed to report to the fiscal committees of the Legislature on the results of the coordination of these environmental activities and make recommendations to further improve the coordination among state agencies to achieve better cost-efficiencies and ecological benefits. The report was due on December 1, 1998.

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**Summary of Substitute Bill:**

An advisory committee to the Department of Transportation is created. The committee includes representatives from the Interagency Commission for Outdoor Recreation, the Conservation Commission, the Department of Transportation, the Department of Community, Trade, and Economic Development, the Department of Fish and Wildlife, the Department of Natural Resources, the Parks and Recreation Commission, the Department of Ecology, and the Office of Financial Management. The Governor, or his designee, shall serve as chair of the committee.

The duties of the advisory committee are to:

- 1) coordinate state land acquisitions and environmental projects;
- 2) examine financial assistance programs to identify opportunities for improved coordination;
- 3) create a data base to enable coordination of environmental projects; and
- 4) recommend ways to better coordinate with other governmental and non-governmental entities.

The environmental affairs office of the Department of Transportation will be the depository for the information collected by the committee. The coordination of state environmental projects will not be interpreted to require additional permitting or compliance procedures for non-governmental entities.

State agencies that receive state appropriations for environmental projects must provide information to the environmental affairs office at the Department of Transportation. After July 2005, state agencies are also to identify and provide information on surplus real property to the office.

The Governor's Office must report to the Legislature on the progress of the coordination program by December 31, 1999, and make findings and recommendations for the program by December 31, 2000.

**Substitute Bill Compared to Original Bill:** The substitute bill clarifies that the intent is not to reduce or eliminate any environmental mitigation obligations of a

government entity, but instead to more efficiently coordinate environmental activities. The Governor is added as chair of the advisory committee and must give a progress report and final recommendations on the coordinating program. Trust land exchanges or sales and regulatory activities are exempted from the coordination. Surplus land must be identified and reported by 2000. The advisory committee cannot require any additional permitting reviews or approval processes for non-governmental entities.

If funding for the bill is not provided by June 30, 1999, in the state transportation budget or the omnibus appropriations act, this bill is null and void.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Testimony For:** The goal of the coordinated approach is to reduce the overall cost of identified environmental mitigation projects and not to raid money from other agencies. Similar language was included in the capital budget in 1997 to better coordinate governmental operations. The Department of Transportation has documented success with the coordination efforts during the past year.

**Testimony Against:** (With concerns) The concept is good but many of the details need more work and clearer direction. The parties are willing to work during the interim to refine the scope of projects and activities, develop the technology and determine the costs to implement the program. There are policy conflicts with the Washington Wildlife and Recreation program that need to be addressed. The bill as written may delay land acquisition and construction contracts and may cause additional regulations on private industry.

**Testified:** (In support) Representative Ruth Fisher, sponsor; Jerry Alb and Patty Lynch, Department of Transportation; and Pete Butkus, Department of Community, Trade, and Economic Development.

(With Concerns) Josh Baldi, Washington Environmental Council; Jim Fox, Interagency for Outdoor Recreation; and Duke Schaub, Association of General Contractors.