

SENATE BILL REPORT

SHB 3076

As Reported By Senate Committee On:
Transportation, February 28, 2000

Title: An act relating to a transportation certification program.

Brief Description: Convening a work group on streamlining project permit processes.

Sponsors: House Committee on Transportation (originally sponsored by Representatives G. Chandler, Fisher, Mitchell, Cooper, Hankins, Skinner, Ericksen, McDonald, Radcliff, Mulliken and Pflug).

Brief History:

Committee Activity: Transportation: 2/22/2000, 2/28/2000 [DP].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass.

Signed by Senators Haugen, Chair; Gardner, Vice Chair; Goings, Vice Chair; Benton, Costa, Eide, Finkbeiner, Heavey, Horn, Jacobsen, Johnson, Morton, Patterson, Prentice, Sheahan, T. Sheldon and Shin.

Staff: Lynn Hale (786-7346)

Background: State, federal, and local environmental regulations are often administered by several different agencies. As a result, environmental permits can be delayed when review processes are done sequentially rather than concurrently. Congress recognized these undesirable process delays in the Transportation Equity Act of the 21st Century (TEA-21) by requiring federal agencies to seek innovative ways to coordinate permit streamlining.

An example of permit streamlining involves the Department of Transportation's (WSDOT) Environmental Affairs Office working with the Federal Highway Administration (FHWA) to receive federal delegation of the Biological Assessment process associated with the Endangered Species Act (ESA). The WSDOT demonstrated a process acceptable to the federal agency responsible for ESA permitting and the federal agency delegated ESA permitting authority to the WSDOT. This eliminates at least one level of review and speeds up the permitting process without compromising the integrity of the process. The federal Department of Transportation and the FHWA become auditors of the program, thus enabling limited staff to focus on overall statewide compliance.

Several parties have expressed interest in applying the certification concept to other areas of environmental permitting.

Summary of Bill: A work group is convened to evaluate the applicability of federal Transportation Certification Acceptance Programs to environmental processes. The work group includes the following partners: WSDOT; Department of Ecology; Department of

Fish and Wildlife; and representatives from cities and counties. The group is charged with presenting a report to the Legislature by December 1, 2000.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The certification process has helped DOT in processing the necessary permits for construction projects under the federal Endangered Species Act more efficiently. This same efficiency could be realized in other permitting areas. This is the last piece needed to help improve efficiency.

Testimony Against: None.

Testified: PRO: Representative G. Chandler, prime sponsor; Jerry Alb, Department of Transportation; Sandra Manning, Department of Ecology.