

SENATE BILL REPORT

SB 5265

As of January 20, 2000

Title: An act relating to land use and environmental review and permitting and economic development in rural counties.

Brief Description: Authorizing a collaborative procedure for land use and environmental review and permitting in rural counties.

Sponsors: Senators Swecker, Rasmussen, Loveland, Morton and Hale.

Brief History:

Committee Activity: State & Local Government: 2/11/99, 2/17/99 [DP-WM].
Way & Means: 1/26/00.

SENATE COMMITTEE ON WAYS & MEANS

Staff: Kari Guy (786-7437)

Background: In 1995 the Legislature established the Permit Assistance Center within the Department of Ecology to provide assistance to businesses and public agencies in complying with the state's environmental quality laws. The center functions as a clearinghouse for information on environmental permits and, when requested, may function in a coordination role for specific projects at the request of the applicant. The 1995 legislation provided for sunset of the center on June 30, 1999. In the sunset review of the center, Joint Legislative Audit and Review Committee found that Ecology had complied with the Legislature's intent and recommended reauthorizing the center.

The Permit Assistance Center was terminated on June 30, 1999, and the authorizing statutes will expire on June 30, 2000. The Department of Ecology will continue the technical assistance portion of the center's mandate under existing statutory authorities. The coordinated permit process is no longer available.

During the 1998 interim, a joint legislative task force reviewed rural land use and economic development issues. The task force heard testimony from local governments and others about the complexity of permitting large economic development projects for rural counties. In its final report, the task force recommended that local governments should have the ability to establish a consolidated and integrated permit process for specific projects. The task force also recommended that the Permit Assistance Center be reauthorized with an orientation towards rural economic development activities.

Summary of Bill: The Permit Assistance Center is reauthorized and the sunset provisions are repealed.

A rural county may conduct a collaborative procedure for land use, environmental review and permitting of rural economic developments as an alternative to the state consolidated

permit review process. A rural county may adopt one economic development project per year, request funding for coordination and facilitation, and appoint or retain a project coordinator and local permit facilitator. A rural county is defined as a county with a population of fewer than one hundred people per square mile.

The collaborative procedure consists of:

- one or more pre-application conferences;
- a determination of completeness including a determination issued by both the county and state permitting agencies;
- a coordinated schedule and process for review;
- integrated public notice and hearing;
- coordination of state and local appeals;
- an integrated decision;
- consolidated judicial review under the land use petition act; and
- an optional development agreement.

The Permit Assistance Center acts as the state permit facilitator. State permitting agencies must participate in the collaborative procedure, adopt a consolidated single state appeal procedure, and use the integrated record of decision. State agencies may recover costs of the collaborative procedure from applicants.

Appropriation: None.

Fiscal Note: Requested on January 18, 2000.

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