

SENATE BILL REPORT

SB 6353

As of February 2, 2000

Title: An act relating to wetlands mitigation.

Brief Description: Changing provisions relating to wetlands mitigation banking.

Sponsors: Senators Kline, Jacobsen, Patterson, Costa, Rasmussen and McAuliffe.

Brief History:

Committee Activity: Environmental Quality & Water Resources: 2/3/2000.

SENATE COMMITTEE ON ENVIRONMENTAL QUALITY & WATER RESOURCES

Staff: Richard Ramsey (786-7412)

Background: Current law authorizes wetland mitigation banking. A state agency may approve the use of credits from a bank for mitigation required under a permit issued or approved by the agency. A mitigation bank is a site where wetlands are restored, created, enhanced, or preserved to provide compensatory mitigation in advance of authorized impacts to other wetlands. Mitigation means sequentially avoiding impacts, minimizing impacts, and compensating for any remaining unavoidable impacts.

The Department of Ecology may approve the use of credits from a bank when: (1) the credits represent creation, restoration, or enhancement of like kind and in close proximity to estuarine wetlands; (2) there is no practical opportunity for on-site compensation; or (3) the use of the bank is environmentally preferable to on-site compensation.

Summary of Bill: The action enabling the use of credits from a wetland mitigation bank is expanded to include a permit issued or approved by a local government and the Department of Ecology will oversee local government's decisions related to mitigation sequencing. The department's consideration of functions and values is expanded to include surface water quality. The use of credits is restricted by requiring that they be the same kind of wetlands and geographically close to those that are adversely affected. The current requirement that one of the three criteria for use of credits must be met is increased to requiring that all three must be met.

Appropriation: None.

Fiscal Note: Not requested.

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