

2241

Sponsor(s): Representative Ericksen

Brief Description: Modifying transportation project permitting.

HB 2241 - DIGEST

Declares that streamlining the permit approval process is essential for reducing project delays and for making the most efficient use of every transportation dollar.

Finds that the greatest efficiency and effectiveness in both protecting our environmental resources and in constructing the transportation infrastructure required to serve Washington's growing population will come from the implementation of these standards by the department itself, with appropriate oversight, as defined in this act, by both natural resource agencies and local governments.

Creates the transportation permit efficiency and accountability committee.

Provides that by January 1, 2002, the committee shall issue an interim report to the legislature detailing its progress toward drafting or adopting the standards as required by this act.

Provides that, upon completion of the standard drafting or adoption process specified in this act, the department of ecology and the department of fish and wildlife shall delegate, to the maximum extent consistent with federal law, all environmental permitting authority currently exercised by these agencies, including, but not limited to, chapters 90.48, 90.58, and 77.55 RCW. The department of ecology and the department of fish and wildlife shall delegate authority by certifying the department to self-permit with regard to all state environmental permits currently issued, approved, or consulted upon by the department of ecology and the department of fish and wildlife.

Provides that, upon the certification or recertification provided for by this act, the department is exempt from obtaining any permit issued by a county, city, or town, regarding a transportation project of statewide significance, including, but not limited to, any permit issued under chapter 90.58 RCW, any permit related to regulation of critical areas under chapter 36.70A RCW, and any permit required for filling, grading, building, or construction, or any other permit required for a transportation project of statewide significance, that would otherwise be issued under a local ordinance meeting the definition of a development regulation under chapter 35.63, 35A.63, 36.70, 36.70A, or 36.70B RCW.

Provides that, for transportation projects of statewide significance, the department shall serve as the lead entity for all review required under the State Environmental Protection Act (SEPA), chapter 43.21C RCW. Nothing in this section may be construed as limiting the ability of local governments to participate in the SEPA process as provided for in chapter 43.21C RCW.

Declares that every two years the department shall send to the legislature, the governor, the department of ecology, and the

department of fish and wildlife a report detailing its self-permitting activities over the previous two years. The report must include a detailed description of all permits issued during the previous two years and must include detailed analysis of all instances of noncompliance with the standards developed under this act, as well as all measures taken to prevent any future noncompliance.

Declares that, every seven years, the department of fish and wildlife and the department of ecology shall jointly conduct a review of the department's self-permitting practices over the previous six years. The department of ecology and the department of fish and wildlife shall submit a report on the performance of the department to the legislature and the governor. The report must include a recommendation as to whether the department should be decertified from self-permitting.

Provides that, where the department of fish and wildlife has delegated hydraulic project permit approval authority contained in this chapter to the department of transportation under chapter 47.--RCW (sections 2 through 10 of this act), the department of transportation will be substituted for the department of fish and wildlife in an appeal of the approval of a permit concerning a hydraulic project that is a transportation project of statewide significance as defined in section 2 of this act. The appeal process for the permits issued by the department of transportation under authority delegated by the department of fish and wildlife will operate in the same manner as for permits granted by the department of fish and wildlife under chapter 77.55 RCW.