

HOUSE BILL REPORT

SSB 5305

As Passed House - Amended:

April 10, 2003

Title: An act relating to the availability of construction aggregates used in transportation and construction projects.

Brief Description: Reviewing the state's need for construction aggregates.

Sponsors: By Senate Committee on Land Use & Planning (originally sponsored by Senators Mulliken, T. Sheldon, Sheahan, Reardon and Esser).

Brief History:

Committee Activity:

Agriculture & Natural Resources: 3/26/03, 4/4/03 [DPA].

Floor Activity:

Passed House - Amended: 4/10/03, 95-0.

Brief Summary of Substitute Bill (As Amended by House)

- Forms a nine-person committee to study the state's need for construction aggregates.

HOUSE COMMITTEE ON AGRICULTURE & NATURAL RESOURCES

Majority Report: Do pass as amended. Signed by 13 members: Representatives Linville, Chair; Rockefeller, Vice Chair; Schoesler, Ranking Minority Member; Holmquist, Assistant Ranking Minority Member; Kristiansen, Assistant Ranking Minority Member; Chandler, Eickmeyer, Grant, Hunt, McDermott, Orcutt, Quall and Sump.

Staff: Jason Callahan (786-7117).

Background:

Aggregates are granular materials used in construction and include sand, gravel, and crushed rock. Aggregates used in construction may be natural materials, including materials from quarries and gravel pits. Aggregates also may include artificial or recycled materials.

The state surface mining statutes grant the Department of Natural Resources (DNR) the exclusive authority to regulate surface mine reclamation. Minerals covered by the state reclamation statutes include gravel, sand, and rock. A permit from the DNR is required for surface mines meeting specified size and depth criteria. The applicant for a surface mining permit must submit a reclamation plan to the DNR and give a copy of the plan to the local government in which the proposed mine is located.

Local governments have authority to adopt zoning regulations relating to surface mines and ordinances regulating mining operations.

Summary of Amended Bill:

A nine-person committee is formed to study the state's need for construction aggregates. The committee will be composed of representatives from the Office of the Governor, the Association of General Contractors, the American Public Works Association, the Aggregate and Concrete Association, an operating engineer from the Building and Trades Council, and three county representatives. The chair of the committee is directed to be the state geologist from the DNR.

The committee is directed to report back to the Legislature by December 15, 2003, with a determination of how the aggregated and affiliated industries should be regulated. This finding should include a determination of whether environmental review procedures allow for the efficient processing of permit applications, whether regulations on industries are redundant, costly, and duplicative, and whether the goals and regulations of the Planning Enabling Act are being met.

The staff of the committee will be provided by the Department of Transportation and the Department of Community, Trade, and Economic Development.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This is a simple bill that clearly outlines the goals of the aggregate industry. The state needs to take a look into the future since it is unknown if the state's resources can support the transportation projects that are planned. The Growth Management Act requires local communities to plan for a transportation infrastructure, so the state should know if there are resources available to fulfill that requirement. The state should also look into the long and time-consuming permitting process to see if it is

in line with the recommendations of the Government's Competitiveness Council.

Testimony Against: None.

Testified: Bruce Chattin, Washington Aggregates & Concrete Association.