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HOUSE BILL 2608

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State of Washington                      58th Legislature                      2004 Regular Session

By Representative Ericksen

Read first time 01/16/2004. Referred to Committee on Transportation.

1            AN ACT Relating to third party permit writing for transportation  
2 projects; amending RCW 47.01.290; adding a new section to chapter  
3 47.06C RCW; and adding a new section to chapter 47.01 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            **Sec. 1.** RCW 47.01.290 and 1994 c 258 s 3 are each amended to read  
6 as follows:

7            The legislature recognizes that environmental review of  
8 transportation projects is a continuous process that should begin at  
9 the earliest stages of planning and continue through final project  
10 construction. ~~((Early and extensive involvement of the relevant  
11 environmental regulatory authorities is critical in order to avoid  
12 significant changes in substantially completed project design and  
13 engineering.))~~ Streamlining the permit writing and approval process is  
14 essential for reducing project delays and for making the most efficient  
15 use of every transportation dollar. It is the expectation of the  
16 legislature that if a comprehensive environmental approach is  
17 integrated throughout various transportation processes, onerous,  
18 duplicative, and time-consuming permit processes will be minimized.  
19 The legislature finds that the greatest efficiency and effectiveness in

1 expediting the permit writing process will include the inclusion of  
2 qualified private sector parties in the preparation of required project  
3 permits.

4 NEW SECTION. Sec. 2. A new section is added to chapter 47.06C RCW  
5 to read as follows:

6 (1) By June 30, 2004, the committee shall develop guidelines for a  
7 certification program to enable third party persons to draft  
8 environmental permits.

9 (2) By January 1, 2005, the departments of transportation, ecology,  
10 and fish and wildlife shall, using the guidelines developed by the  
11 committee, develop rules that allow a third party writer to write  
12 permits that the department of ecology and the department of fish and  
13 wildlife are responsible for issuing. The rules may address permit  
14 writing requirements, qualifications of the third party in writing  
15 permits, and other requirements.

16 (3) The permit writing process must provide that the appropriate  
17 responsible agency for permit issuance will have a single review period  
18 for review of the permit drafted by the third party. The agency shall  
19 provide any comments or suggested revisions to the permit writer within  
20 sixty days of the draft permit being provided to the agency. If the  
21 third party writer complies with the original guidelines and rules  
22 established by the permitting agency and addresses comments by the  
23 agency and any suggested revisions, the permit must be approved by the  
24 agency within ten days of the permit being resubmitted to the agency.

25 NEW SECTION. Sec. 3. A new section is added to chapter 47.01 RCW  
26 to read as follows:

27 (1) If the transportation permit efficiency and accountability  
28 committee is not funded or ceases to exist, the departments of  
29 transportation, ecology, and fish and wildlife shall by January 1,  
30 2005, jointly develop rules that allow a third party writer to write  
31 permits that the department of ecology and the department of fish and  
32 wildlife are responsible for issuing. The rules may address permit  
33 writing requirements, qualifications of the third party in writing  
34 permits, and other requirements.

35 (2) The permit writing process must provide that the appropriate  
36 responsible agency for permit issuance will have a single review period

1 for review of the permit drafted by the third party. The agency shall  
2 provide any comments or suggested revisions to the permit writer within  
3 sixty days of the draft permit being provided to the agency. If the  
4 third party writer complies with the original guidelines and rules  
5 established by the permitting agency and addresses comments by the  
6 agency and any suggested revisions, the permit must be approved by the  
7 agency within ten days of the permit being resubmitted to the agency.

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