

SENATE BILL REPORT

SB 6380

As Reported by Senate Committee On:
Transportation, January 27, 2010

Title: An act relating to the purchase of wetland mitigation bank credits by the department of transportation.

Brief Description: Concerning the purchase of wetland mitigation bank credits by the department of transportation.

Sponsors: Senators Haugen, Jacobsen, Ranker and Swecker.

Brief History:

Committee Activity: Transportation: 1/18/10, 1/27/10 [DPS].

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 6380 be substituted therefor, and the substitute bill do pass.

Signed by Senators Haugen, Chair; Becker, Berkey, Delvin, Eide, Hatfield, Jacobsen, Kastama, Kilmer, King and Ranker.

Staff: Amanda Cecil (786-7429)

Background: When the Washington State Department of Transportation (WSDOT) plans a construction project every effort is made to avoid impacting wetlands. If impacts are unavoidable WSDOT is required by state and federal law to mitigate for those impacts in one of a number of ways. This can include WSDOT adding this element to the project by creating, restoring, enhancing, or preserving a functioning wetland within the service area; using stored credits in one of their existing mitigation banks; or by purchasing mitigation banking credits from a private entrepreneurial mitigation bank that has been certified by the Department of Ecology's wetland banking program.

Summary of Bill (Recommended Substitute): When purchasing mitigation bank credits, WSDOT must determine which bank provides the most or multiple benefit to the impacted habitat.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

EFFECT OF CHANGES MADE BY TRANSPORTATION COMMITTEE (Recommended Substitute): Removes the Department of Fish and Wildlife from the review process and removes the words fish habitat and replaces them with impacted habitat.

Appropriation: None.

Fiscal Note: Available on original bill.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: OTHER: This is already a lengthy process where WSDOT coordinates with many other agencies. Each wetland bank must already go through a certification process. This bill could cause the cost of projects to go up.

Persons Testifying: OTHER: Paul Wagner, WSDOT; Gordon White, Department of Ecology.