

SENATE BILL REPORT

SB 6578

As Reported by Senate Committee On:
Economic Development, Trade & Innovation, February 4, 2010

Title: An act relating to the creation of an optional multiagency permitting team.

Brief Description: Creating an optional multiagency permitting team.

Sponsors: Senators Swecker, Jacobsen, Kastama, Pflug, Becker and Fraser.

Brief History:

Committee Activity: Economic Development, Trade & Innovation: 1/28/10, 2/03/10, 2/04/10 [DPS-WM].

SENATE COMMITTEE ON ECONOMIC DEVELOPMENT, TRADE & INNOVATION

Majority Report: That Substitute Senate Bill No. 6578 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli, Ranking Minority Member; Delvin, Eide and Kilmer.

Staff: Jack Brummel (786-7428)

Background: The Washington State Office of Regulatory Assistance (ORA) was created in the Office of Financial Management in 2003. ORA helps answer permitting questions, provides access to information about state regulations, and assists with coordinating between the layers of state, local, and federal permit review. The ORA provides a variety of services, including acting as the central point of contact and coordination, conducting project scoping, and assisting in conflict resolution. The ORA assists local jurisdictions with their local project review requirements. Project proponents may request designation as a fully-coordinated project. The ORA may enter into cost-reimbursement agreements with project proponents.

Summary of Bill (Recommended Substitute): ORA is to develop an optional multiagency permitting team for coordinated permitting and integrated regulatory decision making. The team is to start its work in the Puget Sound basin. With the exception of some initial costs, the expenses of the team are to be recovered through cost-reimbursement and cost-sharing. The Director of ORA is authorized to solicit funds to cover initial or non-recoverable costs. An account for solicited funds is created.

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.

The team is to be staffed by personnel from the departments of Ecology (Ecology), Fish and Wildlife (DFW), and Natural Resources (DNR), and managed through a team leader from ORA. The team leader is to:

- develop coordinated permitting and integrated decision-making services;
- develop funding agreements;
- conduct outreach and advertising;
- develop partnerships with organizations that can join the team on a project-by-project basis;
- implement dispute resolution protocols; and
- use virtual tools to support the work of the team.

The core services of the team are to include:

- a preapplication coordination service;
- permit advisory and coordination services;
- an integrated, unified decision-making service; and
- a mitigation coordination service.

The team is to target:

- environmental clean-up, restoration, and enhancement projects;
- large scale development projects;
- aquaculture and complex aquatic resources permit application projects; and
- energy, power generation, and utility projects.

EFFECT OF CHANGES MADE BY ECONOMIC DEVELOPMENT, TRADE & INNOVATION COMMITTEE (Recommended Substitute): Protecting the environment is emphasized. The Director of ORA is authorized, not required, to solicit funds to cover initial or non-recoverable costs. Appropriations are made for reimbursement of agency expenses and for ORA's administrative and coordination functions.

Appropriation: \$225,000 to ORA for reimbursing agencies carrying out authorized activities. \$120,000 for ORA's administrative and coordination functions.

Fiscal Note: Available on Original Bill.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony on Original Bill: PRO: This will conserve resources and be self supporting. ORA is supportive of building multi-agency permitting. DNR supports the bill – the funding provisions are important. Ecology supports agencies working together. DFW supports the bill. Working together can lead to better permitting processes. The faster we do things the faster more people can get back to work.

OTHER: There is concern about whether one team can do the wide variety of projects throughout Puget Sound. Resources should be reserved to large complex projects. Positive environmental outcomes need to be ensured. The cost-reimbursement program is of concern.

Persons Testifying: PRO: Senator Swecker, prime sponsor; Faith Lumsden, ORS; Brendan McFarland, Ecology; Peter Birch, DFW; Lenny Young, DNR; Van Collins, Associated General Contractors; Jack Field; WA Cattlemen's Assn.

OTHER: Bruce Wishart, People for Puget Sound; Jerry Smedes, NW Environmental Business Council.