

ESHB 1265 - S COMM AMD

By Committee on Government Operations, Tribal Relations & Elections

NOT CONSIDERED 05/25/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) The legislature recognizes that land
4 use planning actions deliberated in and approved and mitigated by one
5 jurisdiction can significantly affect one or more neighboring
6 jurisdictions. The impacts of the land use planning actions of a
7 neighboring jurisdiction can be especially pronounced when geographic
8 and public infrastructure limitations substantially affect permitted
9 development and the resulting impacts upon neighboring jurisdictions.

10 (2) The legislature, therefore, in the spirit of cooperation and
11 collaboration, intends to promote shared responsibilities under the
12 state environmental policy act in those extraordinary instances where
13 geographic and public infrastructure limitations create circumstances
14 in which the land use planning actions of one jurisdiction
15 significantly impact one or more neighboring jurisdictions.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21C RCW
17 to read as follows:

18 (1)(a) For a proposed project that meets the criteria in subsection
19 (2) of this section, the county within which the proposed project is
20 located shall be the lead agency on any environmental impact statement
21 prepared pursuant to RCW 43.21C.030(2)(c) and shall be responsible for
22 the preparation of all the segments of the environmental impact
23 statement except as provided in (b) of this subsection. The lead
24 agency must notify any agency which qualifies pursuant to (b) of this
25 subsection of the timeline and proposed completion date for the
26 environmental impact statement.

27 (b) Any city whose facilities and residents will receive the
28 majority of the transportation impacts must be the lead agency for the
29 transportation segment of the environmental impact statement prepared

1 pursuant to RCW 43.21C.030(2)(c) and shall be responsible for
2 development, completeness, and accuracy of the transportation segment.
3 The transportation segment must be submitted to the lead agency
4 identified in (a) of this subsection by the completion date. Failure
5 by the lead agency for the transportation segment to comply with the
6 completion date shall result in default to the lead agency described in
7 (a) of this subsection. The transportation segment must be included in
8 the environmental impact statement prepared pursuant to RCW
9 43.21C.030(2)(c) as submitted by the lead agency for the transportation
10 segment.

11 (2) Subsection (1) of this section applies only to project actions
12 in or affecting unincorporated portions of urban growth areas
13 designated under RCW 36.70A.110 that:

14 (a) Border Puget Sound;

15 (b) Are surrounded on the landward side entirely by one or more
16 cities;

17 (c) Are one or more miles from any other portion of an urban growth
18 area that is in unincorporated territory; and

19 (d) Are fifty or more acres in size.

20 (3) Unless the context clearly requires otherwise, for purposes of
21 this section, "agency" or "agencies" means a county, city, or town."

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22 On page 1, line 2 of the title, after "areas;" strike the remainder
23 of the title and insert "adding a new section to chapter 43.21C RCW;
24 and creating a new section."

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