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## Transportation Committee

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### HB 1999

**Brief Description:** Concerning mitigation matching requirements for state transportation projects.

**Sponsors:** Representatives Clibborn, Liias, Warnick and Dunshee.

#### Brief Summary of Bill

- Requires the Washington State Department of Transportation to use available technologies to minimize permit delays for, inform and interact with interested parties regarding, and optimize the effectiveness of proposed compensatory mitigation projects.

**Hearing Date:** 3/18/13

**Staff:** David Munnecke (786-7315).

#### Background:

Both the state and federal governments require a proponent of a project that will diminish the function of an existing wetland to mitigate that loss of function. This duty is called compensatory wetland mitigation. The project proponent has a number of options available to him or her for mitigating wetland loss; however, any mitigation plan must be approved by the state (primarily through the Department of Ecology) and the United States Army Corps of Engineers.

Projects that disturb wetlands are expected to undergo a sequencing review. Actual compensation for wetland loss does not occur unless the loss cannot be avoided or minimized through project planning. Once mitigation requirements are triggered, a project proponent must develop a mitigation plan that either restores the damaged wetland, creates new wetland functions at a new site, enhances an existing wetland, or preserves an at-risk wetland.

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*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 Washington State Department of Transportation (WSDOT) is required to develop a uniform methodology, in consultation with relevant environmental regulatory authorities, for submitting proposed mitigation measures to the relevant environmental regulatory authorities. The WSDOT is allowed to coordinate with the Department of Ecology or the Department of Fish and Wildlife and pair the mitigation investment made by the project proponent with the funding needs of one of three existing state programs: the Forestry Riparian Easement Program, the Riparian Open Space Program, and the Family Forest Fish Passage Program.

**Summary of Bill:**

The WSDOT is required to use available technologies to minimize permit delays for, inform and interact with interested parties including relevant environmental regulatory authorities regarding, and optimize the effectiveness of proposed compensatory mitigation projects.

**Appropriation:** None.

**Fiscal Note:** Requested on March 17, 2013.

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