
Environment Committee

HB 2161

Brief Description: Concerning mitigation fees for traffic impacts imposed under the state environmental policy act.

Sponsors: Representative Fitzgibbon.

Brief Summary of Bill

- Allows a city to impose traffic impact mitigation fees under the State Environmental Policy Act for projects outside the city, but only if the city has entered into an interlocal agreement with the city or county where the project is located.

Hearing Date: 1/14/14

Staff: Jacob Lipson (786-7196).

Background:

State Environmental Policy Act

The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts that may result from governmental decisions, such as the issuance of permits or the adoption of land use plans. The SEPA rules designate cities or counties as the lead agencies responsible for reviewing the environmental impacts of projects that require a city or county license or permit to be issued, or when cities or counties are the proponents of the proposed actions which must undergo SEPA review.

In addition to identifying the environmental impacts of a project or decision, governments performing a SEPA review must consider potential project or decision alternatives, as well as mitigation measures to address environmental impacts. Transportation impacts, including vehicular traffic and traffic hazards, are among the environmental elements considered during a SEPA review.

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.

Mitigation Fees

Projects which undergo a SEPA review may be required to mitigate environmental impacts in order to receive approval from the government entity performing the SEPA review. Mitigation measures must address specific environmental impacts that were identified during the review of the proposal, and must be reasonable and capable of being accomplished. Fees to compensate for environmental impacts, including traffic impacts, are one type of mitigation allowed under SEPA.

Inter-Local Agreements

The state's Interlocal Cooperation Act provides a framework for cities, counties, and other public entities to enter into agreements with one another for joint or cooperative action. In order to establish an interlocal agreement, the governing bodies of each participating government must authorize the agreement. Interlocal agreements may address a variety of purposes, including the provision of services or infrastructure, and may contain mechanisms to allocate resources among the participating governments.

Summary of Bill:

A city may impose traffic impact mitigation fees for proposals located outside of the city, but only if the city has entered into an interlocal agreement addressing the fees with the city or county in which the project is located.

Appropriation: None.

Fiscal Note: Requested on 1/9/2014.

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