

FINAL BILL REPORT

2ESSB 5994

C 15 L 15 E 3
Synopsis as Enacted

Brief Description: Concerning permits for state transportation projects.

Sponsors: Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Liias, Litzow, Braun, Schoesler, Parlette, Dammeier, Warnick, Sheldon, Hewitt, Becker, Brown and Bailey).

Senate Committee on Transportation
House Committee on Environment
House Committee on Transportation

Background: Current law contains various local government permit requirements and procedures applicable to state transportation projects. The Washington State Department of Transportation (WSDOT) does not have the option to appeal permits to superior courts prior to an appeals process heard by local hearing officers or other local appeals processes. Third parties have the right to appeal permits issued by cities, counties, or code cities. Current law is silent on how long local permitting agencies should take to issue permits.

Summary: To the greatest extent practicable, a permit must be issued by a city, county, or code city to WSDOT within 90 days of WSDOT completing a permit application for transportation projects under \$500 million. WSDOT is directed to coordinate a state agency workgroup in 2016 that identifies issues, laws, and regulations relevant to consolidating and coordinating National Environmental Policy Act processes with State Environmental Policy Act processes. The workgroup must report by December 31, 2016, to the Legislature with recommendations for legislation or rules that would reduce delays and time associated with review by state and federal agencies, including suggestions for new categorical exemptions.

For projects that address significant public safety risks, the Shorelines Management Act is amended to allow WSDOT to begin construction 21 days after the date of filing a permit. WSDOT must provide local governments with a plan that avoids and minimizes impacts to shoreline ecological functions. WSDOT is exempt from obtaining a substantial development permit under the Shorelines Management Act as long as the projects maintain, repair, or replace elements within the roadway prism. WSDOT must provide written notification of projects and activities authorized under this section with a cost in excess of \$1 million before the design or plan is finalized with government stakeholders, as well as adjacent property owners.

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.

Votes on Final Passage:

Senate 39 19

Third Special Session

Senate 37 8

House 91 7

Effective: July 6, 2015