SENATE BILL REPORT
ESSB 5996

As Passed Senate, February 27, 2015

Title: An act relating to Washington state department of transportation projects.

Brief Description: Concerning Washington state department of transportation projects.

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

Brief History:
   Committee Activity: Transportation: 2/17/15, 2/19/15 [DPS].
   Passed Senate: 2/27/15, 47-2.

SENATE COMMITTEE ON TRANSPORTATION

Majority Report: That Substitute Senate Bill No. 5996 be substituted therefor, and the substitute bill do pass.
   Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Baumgartner, Cleveland, Habib, Jayapal, Litzow, Miloscia, Pedersen, Rivers and Sheldon.

Staff: Clint McCarthy (786-7319)

Background: The development of environmental impact statements at the Department of Transportation (WSDOT) requires working with a variety of stakeholders and permitting agencies. There is no broad, formalized process for WSDOT to follow in statute that ensures an efficient process that involves the participation of stakeholders along with various permitting agencies.

WSDOT's website tracks construction change orders, which may include costs due to design errors, that exceed $500,000 in compliance with Section 603 of the 2014 Supplemental Transportation Budget – ESSB 6001.

Summary of Engrossed Substitute Bill: WSDOT is directed to streamline its permitting process by developing and maintaining positive relationships with permitting agencies and the Indian tribes. The Legislature directs WSDOT to demonstrate the capacity to meet its environmental responsibilities. Activities that will achieve this result include having

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qualified WSDOT staff supervise all environmental documentation in accordance with WSDOT's project delivery tools, holding pre-bid meetings for environmentally complex projects, and conducting field inspections to ensure that project activities comply with permit conditions and environmental commitments.

WSDOT must provide an annual report summarizing violations of environmental permits and regulations to Ecology and the Legislature on March 1 of each year for violations occurring during the preceding year.

WSDOT must submit a report to the transportation committees of the Legislature detailing engineering errors on highway construction projects resulting in project cost increases in excess of $500,000. An initial report is due within 30 days of the engineering error occurring. A full report must be submitted within 90 days of the engineering error occurring. The full report must include an assessment of how the engineering error happened, what employees made the error – without disclosing the name of the employee or employees, and what corrective action was taken.

This bill takes effect only if SB 5987, concerning transportation revenue, takes effect by June 30, 2015.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2015.

Staff Summary of Public Testimony on Original Bill: PRO: The bill gives guidance to cities on how they can participate in the development of permits.

OTHER: The cause might not be known within 30 days. It will hurt taxpayers by exposing the Department to more risk with contractors.

Persons Testifying: PRO: Bryce Yadon, Futurewise; Carolyn Logue, South Sound Chambers of Commerce Legislative Coalition; Vince Oliveri, Professional and Technical Employees.

OTHER: Lynn Peterson, WSDOT, Secretary; Tom Clingman, Ecology.