

SSB 5438 - H COMM AMD  
By Committee on Environment

NOT CONSIDERED 01/05/2018

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that the analysis  
4 of environmental impacts required under the state environmental  
5 policy act adds value to government decision-making processes in  
6 Washington state and helps minimize the potential environmental harm  
7 coming from those government decisions. However, the legislature also  
8 recognizes that excessive delays in the environmental impact analysis  
9 process adds uncertainty and burdensome costs to those seeking to do  
10 business in the state of Washington. Therefore, it is the intent of  
11 the legislature to promote timely completion of state environmental  
12 policy act processes. In doing so, the legislature intends to restore  
13 balance between the need to carefully consider environmental impacts  
14 and the need to maintain the economic competitiveness of state  
15 businesses.

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

18 (1) A lead agency shall aspire to prepare a final environmental  
19 impact statement required by RCW 43.21C.030(2) in as expeditious a  
20 manner as possible while not compromising the integrity of the  
21 analysis.

22 (a) For even the most complex government decisions associated  
23 with a broad scope of possible environmental impacts, a lead agency  
24 shall aspire to prepare a final environmental impact statement  
25 required by RCW 43.21C.030(2) within twenty-four months of a  
26 threshold determination of a probable significant, adverse  
27 environmental impact.

28 (b) Wherever possible, a lead agency shall aspire to far outpace  
29 the twenty-four month time limit established in this section for more

1 commonplace government decisions associated with narrower and more  
2 easily identifiable environmental impacts.

3 (2) Beginning December 31, 2018, and every two years thereafter,  
4 the department of ecology must submit a report consistent with RCW  
5 43.01.036 on the environmental impact statements produced by state  
6 agencies and local governments to the appropriate committees of the  
7 legislature. The report must include data on the average time, and  
8 document the range of time, it took to complete environmental impact  
9 statements within the previous two years. The report must also  
10 identify any incomplete environmental impact statements that have  
11 exceeded the aspirational time limit established in subsection (1)(a)  
12 of this section.

13 (3) Nothing in this section creates any civil liability for a  
14 lead agency or creates a new cause of action against a lead agency."

15 Correct the title.

EFFECT: Requires the biennial report to the legislature on recently completed environmental impact statements (EIS) produced by state agencies and local governments to also identify any incomplete EISs that have been ongoing for longer than twenty-four months. Requires the biennial report to be submitted electronically and to be included in an online legislative report web site located on the legislative internet home page.

--- END ---