

SENATE BILL REPORT

SB 5428

As of February 5, 2021

Title: An act relating to the application of the state environmental policy act to temporary shelters and transitional encampments.

Brief Description: Concerning the application of the state environmental policy act to temporary shelters and transitional encampments.

Sponsors: Senator Nguyen.

Brief History:

Committee Activity: Housing & Local Government: 2/09/21.

Brief Summary of Bill

- Exempts permit actions to site a temporary shelter or transitional encampment for people experiencing homelessness from State Environmental Policy Act requirements.

SENATE COMMITTEE ON HOUSING & LOCAL GOVERNMENT

Staff: Brandon Popovac (786-7465)

Background: The State Environmental Policy Act (SEPA) establishes a review process for state and local governments to identify environmental impacts resulting from governmental decisions, such as the issuance of permits or the adoption of land use plans. The SEPA environmental review process involves a project proponent or the lead agency completing an environmental checklist to identify and evaluate probable environmental impacts. Government decisions that the SEPA checklist process identifies as having significant adverse environmental impacts must then undergo a more comprehensive environmental analysis in the form of an environmental impact statement (EIS).

Projects which undergo a SEPA review may be required to mitigate significant adverse

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environmental impacts in order to receive approval from the government entity performing the SEPA analysis. Project proponents may also choose to mitigate environmental impacts identified in the environmental checklist to receive a determination the project does not have significant environmental impacts, and therefore can avoid the process of completing an EIS for the project.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): Permit actions to site a temporary shelter or transitional encampment are exempt from compliance with SEPA if the facility is used for people experiencing homelessness, includes no more than 200 beds based on a one person per each bed ratio, is used on the site for no more than three years, and does not involve a new permanent structure.

Temporary shelter is defined as any use sited in a new or existing structure or modular structure that provides temporary quarters for sleeping and shelter. Transitional encampment is defined as any use having tents, modular structures, or similar shelters, including vehicles used for shelter, providing temporary quarters for sleeping and shelter.

Both facilities may have common food preparation, shower, or other commonly used facilities that support the facility.

Appropriation: None.

Fiscal Note: Requested on February 5, 2021.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.