
SENATE BILL 5305

State of Washington

69th Legislature

2025 Regular Session

By Senators Muzzall, Chapman, Dozier, Nobles, and J. Wilson

Read first time 01/16/25. Referred to Committee on Agriculture & Natural Resources.

1 AN ACT Relating to the new environmental accelerator for salmon
2 recovery and ecological resiliency projects; amending RCW 43.42.030;
3 adding a new section to chapter 43.42 RCW; adding a new section to
4 chapter 44.28 RCW; and providing an expiration date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.42
7 RCW to read as follows:

8 (1) An environmental accelerator is established within the office
9 to provide regulatory flexibility for salmon recovery and ecological
10 resiliency projects and programs funded with climate commitment act
11 revenue.

12 (2) The director must appoint an administrator and assign staff
13 to run the environmental accelerator. It is the intent of the
14 legislature that administrative funds for the environmental
15 accelerator be appropriated from climate commitment act auction
16 revenue.

17 (3) Any entity receiving funding for the primary purpose of
18 salmon recovery and ecological resiliency from the climate investment
19 account created in RCW 70A.65.250, the climate commitment account
20 created in RCW 70A.65.260, the natural climate solutions account
21 created in RCW 70A.65.270, or the air quality and health disparities

1 improvement account created in RCW 70A.65.280 is automatically
2 enrolled in the environmental accelerator.

3 (4) The administrator must assist every entity in the
4 environmental accelerator by:

5 (a) Assisting the entity with identifying any regulatory barriers
6 to successfully and efficiently implementing the project or program
7 for which the entity received funding;

8 (b)(i) Working with the relevant regulatory agency to see what,
9 if any, regulatory relief may be granted to the entity by the
10 regulatory agency;

11 (ii) Regulatory relief may be in the form of a waiver of state
12 law or a waiver of a state rule for a trial period. The initial trial
13 period may occur for up to five years and may be extended for the
14 entity by a regulatory agency until the conclusion of the climate
15 commitment act's compliance obligations for covered entities, as
16 defined in RCW 70A.65.010; and

17 (c) When regulatory relief is granted to an entity, providing
18 notice to all entities in the environmental accelerator of this
19 relief. The office shall maintain a registry of enrollees so that
20 those who wish to be notified for request of relief by other entities
21 can update their contact information.

22 (5) Entities enrolled in the environmental accelerator may
23 request regulatory relief, on a form to be prescribed by the
24 administrator of the environmental accelerator, and the relevant
25 agency shall consider and respond to the request within 60 days.

26 (6)(a) The administrator or the relevant regulatory agency may
27 rescind a grant of regulatory relief if:

28 (i) The administrator or relevant regulatory agency determines
29 the relief is no longer in the public interest; or

30 (ii) The program, project, or other qualifying grant has been
31 terminated.

32 (b) When rescinding regulatory relief, the administrator or the
33 relevant regulatory agency must provide the entity that received the
34 relief with a detailed explanation of the reason for the rescission.

35 (7) The office must provide a progress report on the
36 environmental accelerator to the appropriate committees of the
37 legislature by January 1st annually. The report must include:

38 (a) The number and type of entities requesting regulatory relief;

39 (b) A review and summary of the types of regulatory relief
40 requested;

1 (c) The details of all regulatory relief granted by regulatory
2 agencies;

3 (d) Recommendations or considerations for amending state law or
4 rules to provide permanent regulatory relief; and

5 (e) Any other information that the department of commerce deems
6 relevant and useful.

7 (8) This section does not limit the authority of any regulatory
8 agency to take any enforcement action, other than a civil penalty,
9 authorized by law. This section does not limit a regulatory agency's
10 authority to issue a civil penalty as authorized by law based upon a
11 person's failure to comply with specific terms and conditions of any
12 permit or license issued by the agency to that person.

13 (9) If a regulatory agency determines that any part of this
14 section is in conflict with federal law or program requirements, in
15 conflict with federal requirements that are a prescribed condition to
16 the allocation of federal funds to the state, or in conflict with the
17 requirements for eligibility of employers in this state for federal
18 unemployment tax credits, the conflicting part of this section is
19 inoperative solely to the extent of the conflict. Any rules under
20 this section must meet federal requirements that are a necessary
21 condition to the receipt of federal funds by the state or the
22 granting of federal unemployment tax credits to employers in this
23 state.

24 **Sec. 2.** RCW 43.42.030 and 2009 c 97 s 3 are each amended to read
25 as follows:

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

28 (1) "Administrator" means the administrator of the environmental
29 accelerator program.

30 (2) "Director" means the director of the office of regulatory
31 assistance.

32 ((-2)) (3) "Ecological resiliency" means the ability of an
33 ecosystem to withstand and recover from short and long-term impacts
34 of climate change.

35 (4) "Fully coordinated permit process" means a comprehensive
36 coordinated permitting assistance approach supported by a written
37 agreement between the project proponent, the office of regulatory
38 assistance, and the agencies participating in the fully coordinated
39 permit process.

1 ~~((3))~~ (5) "General coordination services" means services that
2 bring interested parties together to explore opportunities for
3 cooperation and to resolve conflicts. General coordination services
4 may be provided as a stand-alone event or as an element of broader
5 project assistance, nonproject-related interagency coordination, or
6 policy and planning teamwork.

7 ~~((4))~~ (6) "Office" means the office of regulatory assistance
8 established in RCW 43.42.010.

9 ~~((5))~~ (7) "Permit" means any permit, license, certificate, use
10 authorization, or other form of governmental review or approval
11 required in order to construct, expand, or operate a project in the
12 state of Washington.

13 ~~((6))~~ (8) "Permit agency" means any state, local, or federal
14 agency authorized by law to issue permits.

15 ~~((7))~~ (9) "Project" means any activity, the conduct of which
16 requires a permit or permits from one or more permit agencies.

17 ~~((8))~~ (10) "Project proponent" means a citizen, business, or
18 any entity applying for or seeking a permit or permits in the state
19 of Washington.

20 ~~((9))~~ (11) "Project scoping" means the identification of
21 relevant issues and information needs of a project proponent and the
22 permitting agencies, and reaching a common understanding regarding
23 the process, timing, and sequencing for obtaining applicable permits.

24 (12) "Salmon recovery" means returning function, value, and
25 access to salmon habitat to support healthy populations.

26 NEW SECTION. Sec. 3. A new section is added to chapter 44.28
27 RCW to read as follows:

28 (1) The joint committee shall conduct an evaluation of the
29 implementation of the environmental accelerator as described in
30 section 1 of this act and report to the appropriate committees of the
31 legislature by December 1, 2029, on the results of the evaluation.

32 (2) The report must include recommendations on whether to
33 continue the environmental accelerator in its existing form and any
34 legislative changes that may be needed to improve the program.
35 Specifically, the report must include a comparison of entities that
36 received regulatory relief to similar entities that either did not
37 request regulatory relief or did not receive regulatory relief.

1 (3) This section expires January 1, 2031.

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