

HOUSE BILL REPORT

2SSB 6578

As Reported by House Committee On: Ways & Means

Title: An act relating to the creation of optional multiagency permitting teams.

Brief Description: Concerning the creation of optional multiagency permitting teams.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Swecker, Jacobsen, Kastama, Pflug, Becker and Fraser).

Brief History:

Committee Activity:

Ways & Means: 3/10/10 [DP].

Brief Summary of Second Substitute Bill

- Directs the Office of Regulatory Assistance to develop an optional multiagency permitting team for coordinated permitting and regulatory decision making.

HOUSE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass. Signed by 22 members: Representatives Linville, Chair; Ericks, Vice Chair; Sullivan, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler, Cody, Conway, Darneille, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Pettigrew, Priest, Ross, Schmick and Seaquist.

Staff: Owen Rowe (786-7391).

Background:

The Washington State Office of Regulatory Assistance (ORA) was created in the Office of Financial Management in 2003. The ORA helps answer permitting questions, provides access to information about state regulations, and assists with coordinating between the layers of state, local, and federal permit review. The ORA provides a variety of services, including acting as the central point of contact and coordination, conducting project scoping,

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and assisting in conflict resolution. The ORA assists local jurisdictions with their local project review requirements. Project proponents may request designation as a fully-coordinated project. The ORA may enter into cost-reimbursement agreements with project proponents.

Summary of Bill:

The ORA is to develop an optional multiagency permitting team for coordinated permitting and integrated regulatory decision making. The team is to start its work in the Puget Sound basin. With the exception of some initial costs, the expenses of the team are to be recovered through cost-reimbursement and cost-sharing. The Director of ORA is authorized to solicit funds to cover initial or non-recoverable costs. An account for solicited funds is created. The team is to be staffed by personnel from the Departments of Ecology (Ecology), Fish and Wildlife (DFW), and Natural Resources (DNR), and managed through a team leader from ORA. The team leader is to:

- develop coordinated permitting and integrated decision-making services;
- develop funding agreements;
- conduct outreach and advertising;
- develop partnerships with organizations that can join the team on a project-by-project basis;
- implement dispute resolution protocols; and
- use virtual tools to support the work of the team.

The core services of the team are to include:

- a preapplication coordination service;
- permit advisory and coordination services;
- an integrated, unified decision-making service; and
- a mitigation coordination service.

The team is to target:

- environmental clean-up, restoration, and enhancement projects;
 - large scale development projects;
 - aquaculture and complex aquatic resources permit application projects; and
 - energy, power generation, and utility projects.
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Appropriation: None.

Fiscal Note: Requested on March 10, 2010.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Staff Summary of Public Testimony:

(In support) This bill saves money, time, and jobs as well as providing better environmental outcomes. The U.S. Navy is interested in using the multi-agency permitting process for the Trident Project at Bangor. The appropriations in an earlier version of this bill would have

covered expenditures for an Office of Regulatory Assistance (ORA) team coordinator, and for other environmental permit agency staff. Without start-up funding, ORA can continue to promote agency permit teams. The ORA will compile a team once an applicant is found. Permit streamlining is an important goal. The Transportation Efficiency and Accountability Committee developed this concept, and it is currently being used for transportation projects. This is not a mandatory process; it is an option that an applicant can choose to pay for. This process allows permitting teams from different environmental agencies to get into the same room in order to work together collaboratively. This bill does not result in any loss of environmental protection. The Green River Valley may need to use this process in order to navigate the environmental permitting process to mitigate the effects from potential flooding. The Legislature has a good history of supporting this type of legislation in a bipartisan manner.

(Opposed) None.

Persons Testifying: Senator Swecker, prime sponsor; Faith Lumsden, Office of Regulatory Assistance; Van Collins, Associated General Contractors; and Doug Levy, City of Kent.

Persons Signed In To Testify But Not Testifying: None.