

# SENATE BILL REPORT

## SB 5090

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As of January 29, 2009

**Title:** An act relating to teleworking options within environmental impact statements on proposed transportation projects.

**Brief Description:** Requiring an analysis of teleworking options within environmental impact statements on proposed transportation projects.

**Sponsors:** Senators Jacobsen and Kline.

**Brief History:**

**Committee Activity:** Transportation: 1/27/09.

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### SENATE COMMITTEE ON TRANSPORTATION

**Staff:** Wendy Malkin (786-7434)

**Background:** The State Environmental Policy Act (SEPA) review process is intended to provide information to agencies, applicants, and the public on the probable environmental impacts of certain actions. SEPA review is required for actions at all levels of state and local government. Government actions subject to SEPA review include proposing regulations or legislation; undertaking projects or programs; fully or partially funding projects or programs; and regulating, licensing, or approving projects or programs. Under SEPA, an environmental impact statement is required for any major action having a probable significant, adverse environmental impact. The environmental impact statement is an analysis of the adverse environmental impacts, and it must include discussion of significant alternatives to the proposal, including the alternative of taking no action.

Currently, the Washington State Department of Transportation (WSDOT) routinely conducts traffic modeling for proposed transportation projects. The traffic modeling analysis becomes part of an environmental impact statement when one is required. The traffic modeling analysis may include analysis of transportation demand management measures, such as use of public transportation, bicycling, and walking. Teleworking, also called telecommuting, is bundled in the traffic modeling analysis with other transportation demand management measures; it is not analyzed independently from other measures. When it is part of an environmental impact statement, the traffic modeling analysis on the transportation demand management measures is often done for the proposed action and the no action alternative; it is sometimes done on the action alternatives.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** An environmental impact statement on a proposed transportation project must include an analysis of how the proposed alternatives identified in the statement may be affected by teleworking as applied to any traffic modeling done for the statement. Teleworking means a program where work functions normally performed at a traditional workplace are instead performed by an employee at that person's home for at least one day a week.

**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony:** OTHER: WSDOT includes analysis of transportation demand management measures in proposed transportation projects when the measures are believed to be relevant to the project. Telework is included in the analysis, but it is bundled with the other measures. New analysis tools would need to be developed to analyze telework independently from the other transportation demand management measures.

The bill seems to require the analysis of telework for all transportation projects, not just projects that focus on public transportation, congestion relief, or highway capacity.

The bill alters the SEPA review process by elevating one concern; the current review process involves talking with the community to determine what factors are the most relevant for the particular community and situation.

**Persons Testifying:** OTHER: Carol Lee Roalkvam, WSDOT.