
SENATE BILL 6380

State of Washington 61st Legislature 2010 Regular Session

By Senators Haugen, Jacobsen, Ranker, and Swecker

Read first time 01/13/10. Referred to Committee on Transportation.

1 AN ACT Relating to the purchase of wetland mitigation bank credits
2 by the department of transportation; and amending RCW 47.01.305.

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

4 **Sec. 1.** RCW 47.01.305 and 2009 c 471 s 1 are each amended to read
5 as follows:

6 (1) For highway construction projects where the department
7 considers agricultural lands of long-term commercial significance, as
8 defined in RCW 36.70A.030, in reviewing and selecting sites to meet
9 environmental mitigation requirements under the national environmental
10 policy act (42 U.S.C. Sec. 4321 et seq.) and chapter 43.21C RCW, the
11 department shall, to the greatest extent possible, consider using
12 public land first.

13 (2) If public lands are not available that meet the required
14 environmental mitigation needs, the department may use other sites
15 while making every effort to avoid any net loss of agricultural lands
16 that have a designation of long-term commercial significance.

17 (3) When purchasing compensatory wetland mitigation bank credits,
18 the department must work with the department of fish and wildlife to
19 determine the wetland mitigation bank that provides the most benefit or

1 multiple benefits to the impacted fish habitat. When possible, the
2 department must consider purchasing credit from the wetland mitigation
3 bank that provides the most benefit.

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