CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6466

Chapter 258, Laws of 1994

53rd Legislature
1994 Regular Session

TRANSPORTATION PROJECTS COLLABORATIVE PROCESS--
DEPARTMENT OF TRANSPORTATION ENVIRONMENTAL REVIEW

EFFECTIVE DATE: 6/9/94

Passed by the Senate March 6, 1994
YEAS 45 NAYS 0

JOEL PRITCHARD
President of the Senate

Passed by the House March 4, 1994
YEAS 90 NAYS 0

BRIAN EBERSOLE
Speaker of the House of Representatives

Approved April 1, 1994

MARTY BROWN
Secretary

MIKE LOWRY
Governor of the State of Washington

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is SUBSTITUTE SENATE BILL 6466 as passed by the Senate and the House of Representatives on the dates hereon set forth.

FILING

April 1, 1994 - 11:20 a.m.

MIKE LOWRY
Secretary of State
State of Washington
AN ACT Relating to environmental processes for the department of transportation; amending RCW 47.01.290 and 47.06.040; adding new sections to chapter 36.70A RCW; adding a new section to chapter 47.01 RCW; and creating a new section.

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

NEW SECTION. Sec. 1. A new section is added to chapter 36.70A RCW to read as follows:

The legislature recognizes that there are major transportation projects that affect multiple jurisdictions as to economic development, fiscal influence, environmental consequences, land use implications, and mobility of people and goods. The legislature further recognizes that affected jurisdictions have important interests that must be addressed, and that these jurisdictions’ present environmental planning and permitting authority may result in multiple local permits and other requirements being specified for the projects.

The legislature finds that the present permitting system may result in segmented and sequential decisions by local governments that do not optimally serve all the parties with an interest in the decisions. The
present system may also make more difficult achieving the consistency among plans and actions that is an important aspect of this chapter.

It is the intent of the legislature to provide for more efficiency and equity in the decisions of local governments regarding major transportation projects by encouraging coordination or consolidation of the processes for reviewing environmental planning and permitting requirements for those projects. The legislature intends that local governments coordinate their regulatory decisions by considering together the range of local, state, and federal requirements for major transportation projects. Nothing in section 1 or 2 of this act alters the authority of cities or counties under any other planning or permitting statute.

NEW SECTION. Sec. 2. A new section is added to chapter 36.70A RCW to read as follows:

COLLABORATIVE TRANSPORTATION PROJECT REVIEW. For counties engaged in planning under this chapter, there shall be established by December 31, 1994, a collaborative process to review and coordinate state and local permits for all transportation projects that cross more than one city or county boundary. This process shall at a minimum, establish a mechanism among affected cities and counties to designate a permit coordinating agency to facilitate multijurisdictional review and approval of such transportation projects.

Sec. 3. RCW 47.01.290 and 1993 c 55 s 1 are each amended to read as follows:

((The state-interest component of the state-wide transportation plan must include a state public transportation plan that recognizes that while public transportation service is essentially a local responsibility in Washington, there is significant state interest in assuring that viable public transportation services are available throughout the state. The public transportation plan shall:

(1) Articulate the state vision of and interest in public transportation and provide quantifiable objectives, including benefits indicators;

(2) Identify the goals for public transportation and the roles of federal, state, regional, and local entities in achieving those goals;

(3) Recommend mechanisms for coordinating federal, state, regional, and local planning for public transportation;
(4) Recommend mechanisms for coordinating public transportation with other transportation services and modes;

(5) Recommend criteria, consistent with the goals identified in subsection (2) of this section and with RCW 82.44.180 (2) and (3), for existing federal authorizations administered by the department to transit agencies; and

(6) Recommend a state-wide public transportation facilities and equipment management system as required by federal law.

In developing the state public transportation plan, the department shall involve local jurisdictions, public and private providers of public transportation services, nonmotorized interests, and state agencies with an interest in public transportation, including but not limited to the departments of community development, social and health services, and ecology, the state energy office, the office of financial management, and the office of the governor.

The department shall submit an initial report to the legislative transportation committee by December 1, 1993, and shall provide annual reports summarizing the plan’s progress each year thereafter.)) The legislature recognizes that environmental review of transportation projects is a continuous process that should begin at the earliest stages of planning and continue through final project construction. Early and extensive involvement of the relevant environmental regulatory authorities is critical in order to avoid significant changes in substantially completed project design and engineering. It is the expectation of the legislature that if a comprehensive environmental approach is integrated throughout various transportation processes, onerous, duplicative, and time-consuming permit processes will be minimized.

NEW SECTION. Sec. 4. A new section is added to chapter 47.01 RCW to read as follows:

The department shall, in cooperation with environmental regulatory authorities:

(1) Identify and document environmental resources in the development of the state-wide multimodal plan under RCW 47.06.040;

(2) Allow for public comment regarding changes to the criteria used for prioritizing projects under chapter 47.05 RCW before final adoption of the changes by the commission;
(3) Use an environmental review as part of the project prospectus identifying potential environmental impacts, mitigation, and costs during the early project identification and selection phase, submit the prospectus to the relevant environmental regulatory authorities, and maintain a record of comments and proposed revisions received from the authorities;

(4) Actively work with the relevant environmental regulatory authorities during the design alternative analysis process and seek written concurrence from the authorities that they agree with the preferred design alternative selected;

(5) Develop a uniform methodology, in consultation with relevant environmental regulatory authorities, for submitting plans and specifications detailing project elements that impact environmental resources, and proposed mitigation measures, to the relevant environmental regulatory authorities during the preliminary specifications and engineering phase of project development;

(6) Screen construction projects to determine which projects will require complex or multiple permits. The permitting authorities shall develop methods for initiating review of the permit applications for the projects before the final design of the projects;

(7) Conduct special prebid meetings for those projects that are environmentally complex; and

(8) Review environmental considerations related to particular projects during the preconstruction meeting held with the contractor who is awarded the bid.

Sec. 5. RCW 47.06.040 and 1993 c 446 s 4 are each amended to read as follows:

The department shall develop a state-wide multimodal transportation plan under RCW 47.01.071(3) and in conformance with federal requirements, to ensure the continued mobility of people and goods within regions and across the state in a safe, cost-effective manner. The state-wide multimodal transportation plan shall consist of:

(1) A state-owned facilities component, which shall guide state investment for state highways including bicycle and pedestrian facilities, and state ferries; and

(2) A state-interest component, which shall define the state interest in aviation, marine ports and navigation, freight rail, intercity passenger rail, bicycle transportation and pedestrian
walkways, and public transportation, and recommend actions in 
coordination with appropriate public and private transportation 
providers to ensure that the state interest in these transportation 
modes is met.

The plans developed under each component must be consistent with 
the state transportation policy plan and with each other, reflect 
public involvement, be consistent with regional transportation 
planning, high-capacity transportation planning, and local 
comprehensive plans prepared under chapter 36.70A RCW, and include 
analysis of intermodal connections and choices. A primary emphasis for 
these plans shall be the improvement and integration of all 
transportation modes to create a seamless intermodal transportation 
system for people and goods.

In the development of the state-wide multimodal transportation 
plan, the department shall identify and document potential affected 
environmental resources, including, but not limited to, wetlands, storm 
water runoff, flooding, air quality, fish passage, and wildlife 
habitat. The department shall conduct its environmental identification 
and documentation in coordination with all relevant environmental 
regulatory authorities, including, but not limited to, local 
governments. The department shall give the relevant environmental 
regulatory authorities an opportunity to review the department’s 
environmental plans. The relevant environmental regulatory authorities 
shall provide comments on the department’s environmental plans in a 
timely manner. Environmental identification and documentation as 
provided for in section 4 of this act and this section is not intended 
to create a private right of action or require an environmental impact 
statement as provided in chapter 43.21C RCW.

NEW SECTION. Sec. 6. Section captions used in this act constitute 
no part of the law.

Passed the Senate March 6, 1994. 
Passed the House March 4, 1994. 
Approved by the Governor April 1, 1994. 
Filed in Office of Secretary of State April 1, 1994.