
SENATE BILL 6277

State of Washington

56th Legislature

2000 Regular Session

By Senators B. Sheldon, Swecker, Jacobsen, Franklin, Morton, Costa, Fraser, Eide, Spanel, Thibaudeau and Kohl-Welles

Read first time 01/12/2000. Referred to Committee on Environmental Quality & Water Resources.

1 AN ACT Relating to authorizing cost-reimbursement agreements for
2 leases and environmental permits; adding a new section to chapter
3 43.21A RCW; adding a new section to chapter 43.30 RCW; adding a new
4 section to chapter 43.70 RCW; adding a new section to chapter 43.300
5 RCW; adding a new section to chapter 70.94 RCW; and creating new
6 sections.

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

8 NEW SECTION. **Sec. 1.** INTENT. It is the intent of the legislature
9 to allow the applicants of environmental permits for complex projects
10 to compensate permitting agencies for providing expedited environmental
11 review through the voluntary negotiation of cost-reimbursement
12 agreements with the permitting agency. It is the further intent of the
13 legislature that cost-reimbursement agreements for complex projects
14 free permitting agency resources to focus on and expedite the review of
15 small projects permits.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21A RCW
17 to read as follows:

1 COST-REIMBURSEMENT AGREEMENT BY THE DEPARTMENT OF ECOLOGY. (1) The
2 department may enter into a written cost-reimbursement agreement with
3 a permit applicant to recover from the applicant the reasonable costs
4 incurred by the department in carrying out the requirements of this
5 chapter, as well as the requirements of other relevant laws, as they
6 relate to permit coordination, environmental review, application
7 review, technical studies, and permit processing.

8 (2) The written cost-reimbursement agreement shall be negotiated
9 with the permit applicant. The department may assign work to current
10 staff, temporary staff, or technical consultants in order to carry out
11 the work covered by the written cost-reimbursement agreement or the
12 work remaining for the department as a result of the permit review
13 process. The billing process shall provide for accurate time and cost
14 accounting and may include a billing cycle that provides for progress
15 payments.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.30 RCW
17 to read as follows:

18 COST-REIMBURSEMENT AGREEMENT BY THE DEPARTMENT OF NATURAL
19 RESOURCES. (1) The department may enter into a written cost-
20 reimbursement agreement with a permit or lease applicant to recover
21 from the applicant the reasonable costs incurred by the department in
22 carrying out the requirements of this chapter, as well as the
23 requirements of other relevant laws, as they relate to permit
24 coordination, environmental review, application review, technical
25 studies, and permit processing.

26 (2) The written cost-reimbursement agreement shall be negotiated
27 with the permit or lease applicant. The department may assign work to
28 current staff, temporary staff, or technical consultants in order to
29 carry out the work covered by the written cost-reimbursement agreement
30 or the work remaining for the department as a result of the permit,
31 environmental, or application review process. The billing process
32 shall provide for accurate time and cost accounting and may include a
33 billing cycle that provides for progress payments.

34 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.70 RCW
35 to read as follows:

36 COST-REIMBURSEMENT AGREEMENT BY THE DEPARTMENT OF HEALTH. (1) The
37 department may enter into a written cost-reimbursement agreement with

1 a permit applicant to recover from the applicant the reasonable costs
2 incurred by the department in carrying out the requirements of this
3 chapter, as well as the requirements of other relevant laws, as they
4 relate to permit coordination, environmental review, application
5 review, technical studies, and permit processing.

6 (2) The written cost-reimbursement agreement shall be negotiated
7 with the permit applicant. The department may assign work to current
8 staff, temporary staff, or technical consultants in order to carry out
9 the work covered by the written cost-reimbursement agreement or the
10 work remaining for the department as a result of the permit review
11 process. The billing process shall provide for accurate time and cost
12 accounting and may include a billing cycle that provides for progress
13 payments.

14 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.300 RCW
15 to read as follows:

16 COST-REIMBURSEMENT AGREEMENT BY THE DEPARTMENT OF FISH AND
17 WILDLIFE. (1) The department may enter into a written cost-
18 reimbursement agreement with a permit applicant to recover from the
19 applicant the reasonable costs incurred by the department in carrying
20 out the requirements of this chapter, as well as the requirements of
21 other relevant laws, as they relate to permit coordination,
22 environmental review, application review, technical studies, and permit
23 processing.

24 (2) The written cost-reimbursement agreement shall be negotiated
25 with the permit applicant. The department may assign work to current
26 staff, temporary staff, or technical consultants in order to carry out
27 the work covered by the written cost-reimbursement agreement or the
28 work remaining for the department as a result of the permit review
29 process. The billing process shall provide for accurate time and cost
30 accounting and may include a billing cycle that provides for progress
31 payments.

32 NEW SECTION. **Sec. 6.** A new section is added to chapter 70.94 RCW
33 to read as follows:

34 COST-REIMBURSEMENT AGREEMENT BY AN AIR POLLUTION CONTROL AUTHORITY.
35 (1) An authority may enter into a written cost-reimbursement agreement
36 with a permit applicant to recover from the applicant the reasonable
37 costs incurred by the authority in carrying out the requirements of

1 this chapter, as well as the requirements of other relevant laws, as
2 they relate to permit coordination, environmental review, application
3 review, technical studies, and permit processing.

4 (2) The written cost-reimbursement agreement shall be negotiated
5 with the permit applicant. The authority may assign work to current
6 staff, temporary staff, or technical consultants in order to carry out
7 the work covered by the written cost-reimbursement agreement or the
8 work remaining for the authority as a result of the permit review
9 process. The billing process shall provide for accurate time and cost
10 accounting and may include a billing cycle that provides for progress
11 payments.

12 NEW SECTION. **Sec. 7.** Captions used in this act are not any part
13 of the law.

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