

2288

Sponsor(s): Representatives Fisher, Mitchell, Rockefeller, Wood and Esser; by request of Department of Transportation

Brief Description: Facilitating perpetual management of environmental mitigation sites.

HB 2288.E - DIGEST

(DIGEST AS ENACTED)

Provides for perpetual management of environmental mitigation sites.

Authorizes the department to enter into exchange agreements with local, state, or federal agencies, tribal governments, or private nonprofit groups incorporated in this state that are organized for environmental conservation purposes, to convey properties under the jurisdiction of the department that serve as environmental mitigation sites, as full or part consideration for the grantee assuming all future maintenance and operation obligations and costs required to maintain and operate the environmental mitigation site in perpetuity.

Provides that tribal governments shall only be eligible to participate in an exchange agreement if they: (1) Provide the department with a valid waiver of their tribal sovereign immunity from suit. The waiver must allow the department to enforce the terms of the exchange agreement or quitclaim deed in state court; and

(2) Agree that the property shall not be placed into trust status.