

# HOUSE BILL REPORT

## HB 1102

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### As Passed Legislature

**Title:** An act relating to exchange agreements for environmental mitigation sites.

**Brief Description:** Revising the provision for exchange agreements for environmental mitigation sites.

**Sponsors:** By Representatives Murray, Ericksen, Rockefeller, Wood and Mielke.

**Brief History:**

**Committee Activity:**

Transportation: 1/29/03, 2/13/03 [DP].

**Floor Activity:**

Passed House: 3/11/03, 93-0.

Senate Amended.

Passed Senate: 4/16/03, 46-3.

House Concurred.

Passed House: 4/21/03, 96-0.

Passed Legislature.

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| <p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>· A reference to conservancy groups eligible for the Department of Transportation to convey environmental sites is clarified to include national organizations.</li></ul> |
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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass. Signed by 29 members: Representatives Murray, Chair; Rockefeller, Vice Chair; Simpson, Vice Chair; Ericksen, Ranking Minority Member; Jarrett, Assistant Ranking Minority Member; Anderson, Armstrong, Bailey, Campbell, Clibborn, Cooper, Dickerson, Edwards, Flannigan, Hankins, Hatfield, Hudgins, Kristiansen, Lovick, Mielke, Morris, Nixon, Romero, Schindler, Shabro, Sullivan, Wallace, Wood and Woods.

**Staff:** Gene Baxstrom (786-7303).

**Background:**

Through local, state, and federal permitting processes, the Department of Transportation (Department) is required to conduct ecological restoration and enhancement activities to compensate for transportation activity impacts to environmentally sensitive areas. The Department often purchases properties for mitigation sites. Because some sites are distant from the highway right of way, site maintenance can be more difficult and it is both beneficial and useful to have these properties managed by parties charged with land management.

In 2002 legislation authorized the Department to convey properties which serve as environmental mitigation sites, as consideration for those agencies or groups assuming maintenance obligations required to maintain the site in perpetuity. These conveyances could be to governmental agencies, tribal governments, or private nonprofit groups incorporated in this state that are organized for environmental conservation purposes. This definition inadvertently excluded large conservancy organizations that are incorporated elsewhere.

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**Summary of Bill:**

For consistency in statute, a change is made among those parties to whom the Department may convey environmental mitigation sites. The term referring to groups organized for environmental conservation purposes is changed to "nature conservancy corporations" as defined elsewhere in statute.

A conveyance is permitted to be by a form of conveyance other than only quit claim deed.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** This change would permit the Department of Transportation to enter into agreements with national nature conservancy groups to assist in implementing the program.

**Testimony Against:** None.

**Testified:** Linda Anderson, Washington State Department of Transportation; and Bill Robinson, The Water Conservancy.