

**HB 1268 - H AMD 206**

By Representative Fitzgibbon

NOT CONSIDERED 01/05/2018

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 43.21C.480 and 2015 3rd sp.s. c 10 s 2 are each  
4 amended to read as follows:

5 (1) The repair or replacement of a state bridge deemed  
6 structurally deficient, as defined in RCW 47.04.010, is exempt from  
7 compliance with this chapter as long as the action occurs within the  
8 existing right-of-way, except that the repair or replacement may  
9 occur outside the existing right-of-way as needed to meet current  
10 engineering standards or state or local environmental permit  
11 requirements for highway construction as long as the repair or  
12 replacement does not result in additional lanes for automobiles. The  
13 issuance of applicable state and local agency permits or approvals  
14 associated with the repair or replacement of such bridges is also  
15 included in this exemption from compliance with this chapter.

16 (2) The construction or addition to a road of pedestrian walks,  
17 paths, sidewalks, and sidewalk extensions is exempt from compliance  
18 with this chapter, as long as the construction or addition does not  
19 result in additional lanes for automobiles, is not a Washington  
20 department of transportation project covered by WAC 197-11-800(26) as  
21 it existed as of January 1, 2017, and the project:

22 (a) Is not undertaken wholly or partly on lands covered by water;

23 (b) Does not require a license governing discharges to water that  
24 is not exempt under RCW 43.21C.0383;

25 (c) Does not require a license governing emissions to air that is  
26 not exempt under RCW 43.21C.0381 or WAC 197-11-800 (7) or (8) as it  
27 existed as of January 1, 2017; and

28 (d) Does not require a land use decision that is not exempt under  
29 WAC 197-11-800(6), as it existed as of January 1, 2017.

30 (3) Washington department of transportation projects covered by  
31 WAC 197-11-800(26) as it existed as of January 1, 2017, are not

1 subject to the limitations imposed in subsection (2)(a) through (d)  
2 of this section."

3 Correct the title.

EFFECT: Adds, to the exemption from the state environmental policy act (SEPA) for the addition to a road of pedestrian walks, paths, sidewalks, and sidewalk extensions, exceptions requiring SEPA review for projects, other than department of transportation (DOT) projects, that require air or water discharge licenses or certain land use decisions or that occur on lands covered by water. Specifies that certain DOT sidewalk and pedestrian projects that are subject to SEPA review under an existing administrative rule do not require SEPA review as a consequence of the DOT project occurring on lands covered by water or requiring certain land use decisions or air or water discharge licenses.

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