
HOUSE BILL 2718

State of Washington

69th Legislature

2026 Regular Session

By Representative Richards

Read first time 02/03/26. Referred to Committee on Transportation.

1 AN ACT Relating to streamlining transportation projects; amending
2 RCW 47.85.020; adding a new section to chapter 47.04 RCW; creating a
3 new section; providing an effective date; and providing an expiration
4 date.

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

6 **Sec. 1.** RCW 47.85.020 and 2021 c 289 s 3 are each amended to
7 read as follows:

8 The department must streamline the permitting process by
9 developing and maintaining positive relationships with the regulatory
10 agencies and the Indian tribes. The department can reduce the time it
11 takes to obtain permits by incorporating impact avoidance and
12 minimization measures into project design and by developing complete
13 permit applications. To streamline the permitting process, the
14 department must:

15 (1) Implement a multiagency permit program, commensurate with
16 program funding levels, consisting of appropriate regulatory agency
17 staff with oversight and management from the department.

18 (a) The multiagency permit program must provide early project
19 coordination, expedited project review, project status updates,
20 technical and regulatory guidance, and construction support to ensure
21 compliance.

1 (b) The multiagency permit program staff must assist department
2 project teams with developing complete biological assessments and
3 permit applications, provide suggestions for how the project can
4 avoid and minimize impacts, and provide input regarding mitigation
5 for unavoidable impacts.

6 (c)(i)(A) Once a determination has been made that a project will
7 need to receive a particular permit and the relevant parameters of
8 the permit have been sufficiently established, the multiagency permit
9 program staff must ensure, to the maximum extent possible, that a
10 meeting with the appropriate federal or state agency or agencies
11 responsible for the issuance of the permit occurs within 30 days. In
12 addition to any other discussion regarding the permit, such a meeting
13 must develop methods by which the issuance of the permit may be
14 expedited. The multiagency permit program staff is responsible for
15 the implementation of any such methods, to the extent possible.

16 (B) Within 30 days of determining that a project will need to
17 receive a particular permit and the relevant parameters of the permit
18 being sufficiently established, the multiagency permit program staff
19 must begin soliciting community input regarding the permit, including
20 from impacted cities, counties, and federally recognized tribes.
21 Cities, counties, and federally recognized tribes must also be
22 included in any outreach and meetings regarding the permit, to the
23 extent possible.

24 (ii) The multiagency permit program staff must, to the maximum
25 extent possible, ensure that within 90 days of the occurrence of a
26 meeting pursuant to (c)(i) of this subsection, that a decision is
27 reached regarding the issuance of the permit.

28 (iii)(A) If no comments regarding a permit are made, by the
29 agency responsible for the issuance of a permit listed in (c)(iii)(D)
30 of this subsection, within 60 days of the submission of the permit
31 application, the permit is deemed approved.

32 (B) If comments regarding a permit are made, by the agency
33 responsible for the issuance of a permit listed in (c)(iii)(D) of
34 this subsection, the multiagency permit program staff may resubmit
35 the permit with such modifications as are necessary to resolve the
36 comment or comments. If no further comments are received, from the
37 agency responsible for the issuance of a permit listed in (c)(iii)(D)
38 of this subsection, within 30 days of the resubmission of the permit
39 application, the permit is deemed approved.

1 (C) If all comments regarding a permit made pursuant to
2 (c)(iii)(A) and (B) of this subsection, by the agency responsible for
3 the issuance of a permit listed in (c)(iii)(D) of this subsection,
4 have been addressed according to the objective written standards of
5 that agency and no permit has been issued, the multiagency permit
6 program staff may make a finding that:

7 (I) All comments regarding a permit based on objective written
8 standards, by the agency responsible for the issuance of a permit
9 listed in (c)(iii)(D) of this subsection, have been addressed; and

10 (II) A reasonable person would find that any comments that have
11 not been addressed are extraneous or irrelevant to the objective
12 written standards of the agency responsible for the issuance of a
13 permit listed in (c)(iii)(D) of this subsection, and the permit is
14 deemed approved.

15 (D) The following types of permits may be used:

16 (I) Hydraulic project approvals required under chapter 77.55 RCW;

17 (II) Shoreline permits required under chapter 90.58 RCW;

18 (III) State environmental policy act permits required under
19 chapter 43.21C RCW; and

20 (IV) Wastewater discharge permits required under chapter 90.48
21 RCW;

22 (E) Comments by the agency responsible for the issuance of a
23 permit listed in (c)(iii)(D) of this subsection must be based on
24 objective written standards.

25 (vi) As part of their efforts to streamline permitting,
26 multiagency permit program staff must collaborate with and ensure
27 input from impacted federally recognized tribes. Such collaboration
28 and input must be solicited as early as is feasible and continue
29 throughout the process of obtaining permits;

30 (2) Establish, implement, and maintain programmatic agreements
31 and permits with federal and state agencies to expedite the process
32 of ensuring compliance with the endangered species act, section 106
33 of the national historic preservation act, hydraulic project
34 approvals, the clean water act, and other federal acts as
35 appropriate;

36 (3) Collaborate with permitting staff from the United States army
37 corps of engineers, Seattle district, department of ecology, and
38 department of fish and wildlife to develop, implement, and maintain
39 complete permit application guidance. The guidance must identify the

1 information that is required for agencies to consider a permit
2 application complete;

3 (4) Perform internal quality assurance and quality control to
4 ensure that permit applications are complete before submitting them
5 to the regulatory agencies; and

6 (5) Implement a multiagency effort, in coordination with the
7 department of ecology and the department of fish and wildlife, and
8 work with the relevant federal environmental permitting agencies to
9 streamline the acquisition of commonly needed environmental permits
10 and approvals for department of transportation fish passage barrier
11 correction projects. Expected results include developing programmatic
12 permit options that simplify the application process, reduce
13 paperwork, and reduce the amount of time and cost it takes to acquire
14 these permits and approvals.

15 NEW SECTION. **Sec. 2.** A new section is added to chapter 47.04
16 RCW to read as follows:

17 (1) The department shall develop a publicly accessible website
18 that provides ratings for contractors who bid on state and local
19 transportation projects. The ratings for each contractor must
20 consider the following criteria:

- 21 (a) The contractor's bid on a project;
- 22 (b) The final cost of that project;
- 23 (c) The proposed completion date for that project;
- 24 (d) The final completion date for that project; and
- 25 (e) Other objective criteria that the department determines are
26 relevant.

27 (2) The department must provide a rating on the website for every
28 contractor that bids on a state transportation project. All other
29 state agencies and local governments may provide information to the
30 website, in order to create or enhance a rating for a contractor.

31 (3) The fact that a contractor has a rating above, below, or
32 equal to a minimum guideline or guidelines established by the
33 department, based on the criteria in subsection (1) of this section,
34 is an item the department may take into account when awarding a
35 contract.

36 NEW SECTION. **Sec. 3.** (1) The department of transportation, in
37 order to streamline the process of issuing permits for transportation
38 projects, shall:

1 (a) Develop templates for permit approval based upon each
2 permitting agencies' policies, for use by state agencies and local
3 governments;

4 (b) Identify all emergency provisions that allow for expedited
5 processing of project construction at times of emergency that may be
6 implemented during periods of nonemergency, and incorporate that work
7 into ongoing permitting processes;

8 (c) Identify opportunities to simplify funding sources and best
9 distribute federal resources to maximize timely project delivery;

10 (d) Create a plan for centralizing communication and current
11 information on the progress of issuing any permit, in a user friendly
12 way;

13 (e) Create processes for identifying points of contact within
14 each permitting agency for a given permit and the individual
15 responsible for communicating any staff changes;

16 (f) Develop recommendations for changing the process allowing
17 permit exemptions; and

18 (g) Develop plans for programmatic permits based upon project
19 type and identify tools available to maximize efficiency in permit
20 approval for projects.

21 (2) The department of transportation must provide a report to the
22 transportation committees of the legislature detailing its work
23 pursuant to this section and any recommendations, including any
24 recommendations for legislation, by December 1, 2027.

25 (3) This section expires December 31, 2027.

26 NEW SECTION. **Sec. 4.** This act takes effect October 1, 2026.

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