



March 6, 2009

The Honorable Geoff Simpson  
Chair, House Local Government and Housing Committee  
426 John L. O'Brien Building  
Olympia, WA 98504-0600

RE: SB 5548 relating to a credit against impact fees for public transportation improvements

Dear Representative Simpson:

APA Washington supports the intent of SB 5548 to provide a credit to transportation impact fees for the provision of land, improvements to, or construction of public transportation "system improvements" in conjunction with a development project. Providing such credit will encourage developers to install transit-related system improvements, which will facilitate use of transit in our communities. It is equitable and reasonable to provide an impact fee credit for these improvements, just like cities and counties currently offer for other transportation system improvements.

However, SB 5548 as it passed the Senate, contains what may be an inadvertent loophole to credit the cost of "project improvements" against impact fees. As currently written, SB 5548 would give a developer credit against impact fees for project-related improvements such as roads, sidewalks or other improvements needed to provide adequate infrastructure to serve a development project. This credit could have the effect of wiping out impact fee payments to cities and counties reducing the community's revenue stream for transportation projects.

We support a simple amendment to SB 5548 to eliminate the reference to "project improvements". This change would close the



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loophole and protect a valuable source of funding for development impact mitigation local and regional transportation projects.

Thank you for the opportunity to comment. If I can answer any questions about this position statement, please do not hesitate to contact me.

Respectfully,

A handwritten signature in black ink, appearing to read 'J. Tovar', with a long, sweeping horizontal stroke extending to the right.

Joseph W. Tovar, FAICP  
Washington Chapter of the American Planning Association  
President

cc Members of the House Local Government and Housing Committee \  
The Honorable Senator Mary Margaret Haugen