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**HOUSE BILL 1814**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Fitzgibbon and Duerr

1 AN ACT Relating to streamlining certain decisions pertaining to  
2 the development or extension of a trail or path from the state  
3 environmental policy act; and adding a new section to chapter 43.21C  
4 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.21C  
7 RCW to read as follows:

8 (1) Decisions pertaining to the development or extension of a  
9 trail or path are categorically exempted from compliance with this  
10 chapter, and may not be subject to county or city ordinances or other  
11 regulations imposing equivalent requirements, if:

12 (a) The surface area of the proposed new trail or path or  
13 extension to an existing trail or path does not exceed 10 acres; and

14 (b) The proposed new trail or path or extension to an existing  
15 trail or path is located in whole or in part on a railroad right-of-  
16 way designated for interim trail use under 16 U.S.C. Sec. 1247 and  
17 within a city with a population of 500,000 or more.

18 (2)(a) At the earliest possible date prior to the submittal of an  
19 application for a state or local license for the development or  
20 extension of a trail or path under this section, an applicant must  
21 request meaningful consultation with any federally recognized tribe

1 that may be potentially affected by the proposed new trail or path or  
2 extension to an existing trail or path. Meaningful consultation must  
3 include discussion of the potential impacts to cultural resources and  
4 tribal treaty rights.

5 (b) An applicant must notify the affected federally recognized  
6 tribe of the proposed development using at least two methods,  
7 including by mail. Upon receiving a notice, the federally recognized  
8 tribe may initiate consultation to determine whether an agreement can  
9 be reached related to the development or extension of a trail or  
10 path. If an agreement is not reached, the parties must enter  
11 mediation. The exemption provided by this section shall take effect  
12 if the affected federally recognized tribe does not initiate  
13 consultation within 90 days of receipt of the written notice required  
14 by this subsection.

15 (3) The definitions in this subsection apply throughout this  
16 section unless the context clearly requires otherwise.

17 (a) "Extension to an existing trail or path" includes an addition  
18 to an existing trail or path that connects two existing segments of  
19 the trail or path.

20 (b) "Trail" and "path" have the same meaning as defined in RCW  
21 47.30.005.

22 (4) Improvements covered by this exemption include utilities and  
23 support infrastructure for trails and paths, including street  
24 improvements and crossings, lighting, signage, and surface water  
25 drainage, but not unrelated infrastructure improvements.

26 (5) This section is additional to and does not amend categorical  
27 exemptions adopted by rule under RCW 43.21C.110(1)(a).

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