

CHRISTINE O. GREGOIRE
Governor



STATE OF WASHINGTON
OFFICE OF THE GOVERNOR

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August 17, 2007

Paula Hammond, Interim Secretary
Washington State Department of Transportation
P.O. Box 47331
Olympia, WA 98504-7331

Dear Paula

I am writing to provide additional guidance regarding my line-item veto of Section 305(10) of Senate Engrossed Substitute House Bill 1094 (transportation budget), related to the Department of Transportation's (DOT) acquisition of agricultural land for environmental mitigation purposes. In my veto letter, I directed DOT not to use eminent domain on its own for acquiring agricultural land, and to submit any proposal to acquire agricultural property for review by my office before the land is acquired.

To implement the veto directive, I ask that DOT notify my office of all proposed condemnation actions related to the acquisition, for wetland mitigation purposes, of land that is designated agricultural resource land pursuant to the Growth Management Act (RCW 36.70A.170(a)). To ensure timely consideration, I ask that DOT provide written notification to my Chief of Staff, Tom Fitzsimmons, before referring a case to the Attorney General's Office to initiate condemnation proceedings, or preferably, as soon as difficulties develop in negotiations with a property. My office will respond to each notice within two weeks of receipt, or request additional time if required.

In addition, I ask that DOT develop the ability to track and report on the conversion of agricultural lands for transportation purposes. I recognize that this will require developing an appropriate system. I ask that this system be operational and in use by the end of this year (2007).

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Chris".

Christine O. Gregoire
Governor

