
SUBSTITUTE SENATE BILL 5676

State of Washington

62nd Legislature

2011 Regular Session

By Senate Economic Development, Trade & Innovation (originally sponsored by Senators Kastama, Holmquist Newbry, and Shin)

READ FIRST TIME 02/18/11.

1 AN ACT Relating to projects of statewide significance for economic
2 development; amending RCW 43.157.005, 43.157.020, and 43.157.030; and
3 reenacting and amending RCW 43.157.010.

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

5 **Sec. 1.** RCW 43.157.005 and 2009 c 421 s 1 are each amended to read
6 as follows:

7 The legislature declares that certain private investments, such as
8 investments for industrial development, transportation, environmental
9 improvement, and innovation activities, merit special designation ((~~and~~
10 ~~treatment by governmental bodies when they are proposed~~)) as projects
11 of statewide significance. Such investments bolster the economies of
12 their locale and impact the economy of the state as a whole. It is the
13 intention of the legislature to recognize projects of statewide
14 significance, to provide a mechanism for local governments and state
15 and federal agencies to perform a coordinated and comprehensive review
16 of such projects, and to encourage ((~~local governments and state~~
17 ~~agencies to expedite~~)) their expeditious completion.

1 **Sec. 2.** RCW 43.157.010 and 2009 c 565 s 34 and 2009 c 421 s 2 are
2 each reenacted and amended to read as follows:

3 For purposes of this chapter and RCW 28A.525.166, 28B.76.210,
4 (~~28C.18.080,~~) 43.21A.350, and 90.58.100, the following definitions
5 apply unless the context clearly requires otherwise:

6 (1)(a) (~~(A)~~) "Project of statewide significance (~~(is)~~)" means:

7 (i) A border crossing project that involves both private and public
8 investments carried out in conjunction with adjacent states or
9 provinces;

10 (ii) A development project that will provide a net environmental
11 benefit to the state or a region of the state;

12 (iii) A development project in furtherance of the commercialization
13 of innovations; or

14 (iv) A private industrial development with private capital
15 investment in manufacturing, basic commodity transportation, energy
16 development, conservation or efficiency, or research and development.

17 (b) To qualify for designation under RCW 43.157.030 as a project of
18 statewide significance:

19 (i) The project must be completed after January 1, 2009;

20 (ii) The applicant must submit an application to the department for
21 designation as a project of statewide significance to the department of
22 (~~community, trade, and economic development~~) commerce; and

23 (iii) The project must have:

24 (A) In counties with a population less than or equal to twenty
25 thousand, a capital investment of five million dollars;

26 (B) In counties with a population greater than twenty thousand but
27 no more than fifty thousand, a capital investment of ten million
28 dollars;

29 (C) In counties with a population greater than fifty thousand but
30 no more than one hundred thousand, a capital investment of fifteen
31 million dollars;

32 (D) In counties with a population greater than one hundred thousand
33 but no more than two hundred thousand, a capital investment of twenty
34 million dollars;

35 (E) In counties with a population greater than two hundred thousand
36 but no more than four hundred thousand, a capital investment of thirty
37 million dollars;

1 (F) In counties with a population greater than four hundred
2 thousand but no more than one million, a capital investment of forty
3 million dollars;

4 (G) In counties with a population greater than one million, a
5 capital investment of fifty million dollars;

6 (H) In rural counties as defined by RCW 82.14.370, projected full-
7 time employment positions after completion of construction of ~~((fifty))~~
8 thirty or greater;

9 (I) In counties other than rural counties as defined by RCW
10 82.14.370, projected full-time employment positions after completion of
11 construction of ~~((one hundred))~~ seventy or greater; ~~((or))~~

12 (J) If the project will create jobs in both rural and nonrural
13 counties, projected full-time employment positions after completion of
14 construction of seventy or greater; or

15 (K) Been qualified by the director of the department as a project
16 of statewide significance either because:

17 (I) The economic circumstances of the county or region merit the
18 additional assistance such designation will bring;

19 (II) The impact on a county or region due to the size and
20 complexity of the project merits such designation;

21 (III) The project resulted from or is in furtherance of innovation
22 activities at a public research institution in the state or is in or
23 resulted from innovation activities within an innovation partnership
24 zone; or

25 (IV) The project will provide a net environmental benefit as
26 evidenced by plans for design and construction under green building
27 standards or for the creation of renewable energy technology or
28 components or under other environmental criteria established by the
29 director in consultation with the director of the department of
30 ecology.

31 A project may be qualified under this subsection (1)(b)(iii)~~((or))~~
32 (K) only after consultation on the availability of staff resources of
33 the office of regulatory assistance.

34 (2) "Department" means the department of ~~((community, trade, and~~
35 ~~economic development))~~ commerce.

36 (3) "Manufacturing" ~~((shall have))~~ has the same meaning ~~((assigned~~
37 ~~it))~~ as provided in RCW 82.62.010.

1 (4) "Research and development" (~~shall have~~) has the meaning
2 assigned it in RCW 82.62.010.

3 (5) "Applicant" means a person applying to the department for
4 designation of a development project as a project of statewide
5 significance.

6 **Sec. 3.** RCW 43.157.020 and 2009 c 421 s 3 are each amended to read
7 as follows:

8 Counties and cities with development projects designated as
9 projects of statewide significance within their jurisdictions (~~shall~~)
10 must enter into an agreement with the office of regulatory assistance
11 and the project managers of projects of statewide significance for:
12 Expediting the completion of a project(~~s~~) of statewide significance;
13 and completing a coordinated and comprehensive review of a project of
14 statewide significance. The agreement (~~shall~~) must require:

15 (1) Expedited permit processing for the design and construction of
16 the project;

17 (2) Expedited environmental review processing;

18 (3) Expedited and consolidated processing of requests for street,
19 right-of-way, (~~or~~) easement vacations, or other local administrative
20 permits necessary for the construction of the project;

21 (4) Participation of local officials on the team assembled under
22 the requirements of RCW 43.157.030(2)(b); and

23 (5) Such other actions or items as are deemed necessary by the
24 office of regulatory assistance for the design and construction of the
25 project but that do not alter any agency or local government permitting
26 authority or other existing statutory requirements.

27 **Sec. 4.** RCW 43.157.030 and 2009 c 421 s 4 are each amended to read
28 as follows:

29 (1) The department of (~~community, trade, and economic development~~
30 ~~shall~~) commerce must:

31 (a) Develop an application for designation of development projects
32 as projects of statewide significance. (~~The application must be~~
33 ~~accompanied by a letter of approval from the legislative authority of~~
34 ~~any jurisdiction that will have the proposed project of statewide~~
35 ~~significance within its boundaries. No designation of a project as a~~
36 ~~project of statewide significance shall be made without such letter of~~

1 approval. ~~The letter of approval must state that the jurisdiction~~
2 ~~joins in the request for the designation of the project as one of~~
3 ~~statewide significance and has or will hire the professional staff that~~
4 ~~will be required to expedite the processes necessary to the completion~~
5 ~~of a project of statewide significance.)) Upon the proponents'~~
6 application, the legislative authority of any jurisdiction that will
7 have the proposed project, or a portion of the project, of statewide
8 significance within its boundaries must provide a letter stating
9 whether the jurisdiction joins in the request for the designation of
10 the project as one of statewide significance and has or will hire the
11 professional staff to expedite the processes necessary to the
12 completion of the project. If the local jurisdiction does not join in
13 the request for the designation of the project as one of statewide
14 significance, the department may not further consider the designation
15 until the local jurisdiction joins in the applicant's request for
16 designation. The development project proponents may provide the
17 funding necessary for the jurisdiction to hire the professional staff
18 that will be required to so expedite. The application (~~shall~~) must
19 contain information regarding the location of the project, the
20 applicant's average employment in the state for the prior year,
21 estimated new employment related to the project, estimated wages of
22 employees related to the project, estimated time schedules for
23 completion and operation, and other information required by the
24 department; and

25 (b) Designate a development project as a project of statewide
26 significance if the department determines:

27 (i) After review of the application under criteria adopted by rule,
28 the development project will provide significant economic benefit to
29 the local or state economy, or both, the project is aligned with the
30 state's comprehensive plan for economic development under RCW
31 43.162.020, and, by its designation, the project will not prevent equal
32 consideration of all categories of proposals under RCW 43.157.010; and

33 (ii) The development project meets or will meet the requirements of
34 RCW 43.157.010 regarding designation as a project of statewide
35 significance.

36 (2) The office of regulatory assistance (~~shall~~) must assign a
37 project facilitator or coordinator to each project of statewide
38 significance to:

1 (a) Assist in the scoping and coordinating functions provided for
2 in chapter 43.42 RCW;
3 (b) Assemble a team of state and local government and private
4 officials to help meet the planning, permitting, and development needs
5 of each project, which team (~~shall~~) must include those responsible
6 for planning, permitting and licensing, infrastructure development,
7 workforce development services including higher education,
8 transportation services, and the provision of utilities; and
9 (c) Work with each team member to expedite their actions in
10 furtherance of the project.

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