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SENATE BILL 6355

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State of Washington

63rd Legislature

2014 Regular Session

By Senators Hobbs, Sheldon, Hatfield, and King

Read first time 01/22/14. Referred to Committee on Trade & Economic Development.

1 AN ACT Relating to projects of statewide significance for economic  
2 development and transportation; amending RCW 43.157.005, 43.157.020,  
3 and 43.157.030; and 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 2012 c 63 s 2 are each reenacted and  
2 amended to read as follows:

3       The definitions in this section apply throughout this chapter and  
4 RCW 28A.525.166, (~~(28B.76.210, 28C.18.080,)~~) 43.21A.350, and 90.58.100,  
5 unless the context clearly requires otherwise:

6       (1) "Applicant" means a person applying to the department for  
7 designation of a development project as a project of statewide  
8 significance.

9       (2) "Aviation biofuels production facility" means a facility  
10 primarily for the processing of nonfossil biogenic feedstocks to  
11 produce aviation fuels that meet the fuel quality technical standards  
12 of the American society for testing materials for aviation fuels and  
13 coproducts.

14       (3) "Department" means the department of commerce.

15       (4) "Manufacturing" (~~(shall have)~~) has the meaning assigned it in  
16 RCW 82.62.010.

17       (5)(a) "Project of statewide significance" means:

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

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

23       (iii) A development project in furtherance of the commercialization  
24 of innovations;

25       (iv) A private industrial development with private capital  
26 investment in manufacturing, construction materials transportation,  
27 development of a renewable resource as defined in RCW 19.285.030,  
28 environmental conservation or efficiency, or research and development;  
29 or

30       (v) An aviation biofuels production facility.

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

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

34       (ii) The applicant must submit an application to the department for  
35 designation as a project of statewide significance (~~(to the department~~  
36 ~~of commerce))~~); and

37       (iii) Except for an aviation biofuels production facility, the  
38 project must have:

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

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

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

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

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

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

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

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

23 (I) In counties other than rural counties as defined by RCW  
24 82.14.370, projected full-time employment positions after completion of  
25 construction of ~~((one hundred))~~ seventy or greater; ~~((or))~~

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

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

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

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

35 (III) The project resulted from or is in furtherance of innovation  
36 activities at a public research institution in the state or is in or  
37 resulted from innovation activities within an innovation partnership  
38 zone; or

1 (IV) The project will provide a net environmental benefit as  
2 evidenced by plans for design and construction under green building  
3 standards or for the creation of renewable energy technology or  
4 components or under other environmental criteria established by the  
5 director in consultation with the director of the department of  
6 ecology.

7 (c) A project may be qualified under (b)(iii)(K) of this subsection  
8 (5)((~~(b)(iii)(J)~~)) only after consultation on the availability of staff  
9 resources of the office of regulatory assistance.

10 (6) "Research and development" (~~(shall have)~~) has the meaning  
11 assigned it in RCW 82.62.010.

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

14 Counties and cities with development projects designated as  
15 projects of statewide significance within their jurisdictions (~~(shall)~~)  
16 must enter into an agreement with the office of regulatory assistance  
17 and the project managers of projects of statewide significance for:  
18 Expediting the completion of a project(~~(s)~~) of statewide significance;  
19 and completing a coordinated and comprehensive review of a project of  
20 statewide significance. The agreement (~~(shall)~~) must require:

21 (1) Expedited permit processing for the design and construction of  
22 the project;

23 (2) Expedited environmental review processing;

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

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

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

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

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

1 (a) Develop an application for designation of development projects  
2 as projects of statewide significance. (~~The application must be~~  
3 ~~accompanied by a letter of approval from the legislative authority of~~  
4 ~~any jurisdiction that will have the proposed project of statewide~~  
5 ~~significance within its boundaries. No designation of a project as a~~  
6 ~~project of statewide significance shall be made without such letter of~~  
7 ~~approval. The letter of approval must state that the jurisdiction~~  
8 ~~joins in the request for the designation of the project as one of~~  
9 ~~statewide significance and has or will hire the professional staff that~~  
10 ~~will be required to expedite the processes necessary to the completion~~  
11 ~~of a project of statewide significance.)) Upon the proponents'  
12 application, the legislative authority of any jurisdiction that will  
13 have the proposed project, or a portion of the project, of statewide  
14 significance within its boundaries must provide a letter stating  
15 whether the jurisdiction joins in the request for the designation of  
16 the project as one of statewide significance and has or will hire the  
17 professional staff to expedite the processes necessary to the  
18 completion of the project. The development project proponents may  
19 provide the funding necessary for the jurisdiction to hire the  
20 professional staff that will be required to so expedite. The  
21 application (~~shall~~) must contain information regarding the location  
22 of the project, the applicant's average employment in the state for the  
23 prior year, estimated new employment related to the project, estimated  
24 wages of employees related to the project, estimated time schedules for  
25 completion and operation, and other information required by the  
26 department; and~~

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

29 (i) After review of the application under criteria adopted by rule,  
30 the development project will provide significant economic benefit to  
31 the local or state economy, or both, the project is aligned with the  
32 state's comprehensive plan for economic development under RCW  
33 43.162.020, and, by its designation, the project will not prevent equal  
34 consideration of all categories of proposals under RCW 43.157.010; and

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

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

4           (a) Assist in the scoping and coordinating functions provided for  
5 in chapter 43.42 RCW;

6           (b) Assemble a team of state and local government and private  
7 officials to help meet the planning, permitting, and development needs  
8 of each project, which team (~~shall~~) must include those responsible  
9 for planning, permitting and licensing, infrastructure development,  
10 workforce development services including higher education,  
11 transportation services, and the provision of utilities; and

12           (c) Work with each team member to expedite their actions in  
13 furtherance of the project.

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