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**SUBSTITUTE SENATE BILL 5473**

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**State of Washington**

**61st Legislature**

**2009 Regular Session**

**By** Senate Economic Development, Trade & Innovation (originally sponsored by Senators Kastama, Kilmer, Pridemore, McAuliffe, and Sheldon)

READ FIRST TIME 02/05/09.

1       AN ACT Relating to streamlining development through the designation  
2 of projects of statewide significance; amending RCW 43.157.005,  
3 43.157.010, 43.157.020, and 43.157.030; and declaring an emergency.

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

5       **Sec. 1.** RCW 43.157.005 and 1997 c 369 s 1 are each amended to read  
6 as follows:

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

16       **Sec. 2.** RCW 43.157.010 and 2004 c 275 s 63 are each amended to  
17 read as follows:

1 (1) For purposes of this chapter and RCW 28A.525.166, 28B.76.210,  
2 28C.18.080, 43.21A.350, (~~(47.06.030,)~~) and 90.58.100 (~~(and an~~  
3 ~~industrial)~~):

4 (a) A project of statewide significance is: (i) A border crossing  
5 project that involves both private and public investments carried out  
6 in conjunction with adjacent states or provinces; (ii) a development  
7 project that will provide a net environmental benefit; (iii) a  
8 development project in furtherance of the commercialization of  
9 innovations; or (iv) a private industrial development with private  
10 capital investment in manufacturing or research and development;

11 (b) To "expedite" means to speed up the progress of or to  
12 facilitate in a manner beyond the normal practice.

13 (2) To qualify as (~~(an industrial)~~) a project of statewide  
14 significance: (a) The project must be completed after January 1,  
15 (~~(1997)~~) 2009; (b) the applicant must submit an application for  
16 designation as (~~(an industrial)~~) a project of statewide significance to  
17 the department of community, trade, and economic development; and (c)  
18 the project must have:

19 (i) In counties with a population of less than or equal to twenty  
20 thousand, a capital investment of (~~(twenty)~~) five million dollars;

21 (ii) In counties with a population of greater than twenty thousand  
22 but no more than fifty thousand, a capital investment of (~~(fifty)~~) ten  
23 million dollars;

24 (iii) In counties with a population of greater than fifty thousand  
25 but no more than one hundred thousand, a capital investment of (~~(one~~  
26 ~~hundred)~~) fifteen million dollars;

27 (iv) In counties with a population of greater than one hundred  
28 thousand but no more than two hundred thousand, a capital investment of  
29 (~~(two hundred)~~) twenty million dollars;

30 (v) In counties with a population of greater than two hundred  
31 thousand but no more than four hundred thousand, a capital investment  
32 of (~~(four hundred)~~) thirty million dollars;

33 (vi) In counties with a population of greater than four hundred  
34 thousand but no more than one million, a capital investment of (~~(six~~  
35 ~~hundred)~~) forty million dollars;

36 (vii) In counties with a population of greater than one million, a  
37 capital investment of (~~(one billion)~~) fifty million dollars;

1 (viii) In rural counties (~~((with fewer than one hundred persons per~~  
2 ~~square mile as determined annually by the office of financial~~  
3 ~~management and published by the department of revenue effective for the~~  
4 ~~period July 1st through June 30th))~~ as defined by RCW 82.14.370,  
5 projected full-time employment positions after completion of  
6 construction of fifty or greater;

7 (ix) In counties (~~(with one hundred or more persons per square mile~~  
8 ~~as determined annually by the office of financial management and~~  
9 ~~published by the department of revenue effective for the period July~~  
10 ~~1st through June 30th))~~ other than rural counties as defined by RCW  
11 82.14.370, projected full-time employment positions after completion of  
12 construction of one hundred or greater; or

13 (x) Been designated by the director of community, trade, and  
14 economic development as (~~(an industrial))~~ a project of statewide  
15 significance either because: (A) (~~(Because the county in which the~~  
16 ~~project is to be located is a distressed county and))~~ The economic  
17 circumstances of the county merit the additional assistance such  
18 designation will bring; (~~(or))~~ (B) (~~(because))~~ the impact on a region  
19 due to the size and complexity of the project merits such designation;  
20 (C) the project resulted from or is in furtherance of innovation  
21 activities at a public research institution in the state or is in or  
22 resulted from innovation activities within an innovation partnership  
23 zone; or (D) the project will provide a net environmental benefit as  
24 evidenced by plans for design and construction under green building  
25 standards or other environmental criteria established by the director.  
26 Designation under this subsection (2)(c)(x) will only be made after  
27 consultation on the availability of staff resources of the office of  
28 regulatory assistance.

29 (~~(+2))~~ (3) The term manufacturing shall have the meaning assigned  
30 it in RCW (~~(82.61.010))~~ 82.62.010.

31 (~~(+3))~~ (4) The term research and development shall have the  
32 meaning assigned it in RCW (~~(82.61.010))~~ 82.62.010.

33 (~~(+4))~~ (5) The term applicant means a person applying to the  
34 department of community, trade, and economic development for  
35 designation of a development project as (~~(an industrial))~~ a project of  
36 statewide significance.

1       **Sec. 3.** RCW 43.157.020 and 2003 c 54 s 2 are each amended to read  
2 as follows:

3       Counties and cities with projects designated as (~~industrial~~)  
4 projects of statewide significance within their jurisdictions shall  
5 enter into an agreement with the office of permit assistance and the  
6 project managers of (~~industrial~~) projects of statewide significance  
7 for expediting the completion of (~~industrial~~) projects of statewide  
8 significance. The agreement shall require:

9       (1) Expedited permit processing for the design and construction of  
10 the project;

11       (2) Expedited environmental review processing;

12       (3) Expedited processing of requests for street, right-of-way, or  
13 easement vacations necessary for the construction of the project;  
14 (~~and~~)

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

17       (5) Such other actions or items as are deemed necessary by the  
18 office of permit assistance for the design and construction of the  
19 project.

20       **Sec. 4.** RCW 43.157.030 and 2003 c 54 s 3 are each amended to read  
21 as follows:

22       (1) The department of community, trade, and economic development  
23 shall:

24       (a) Develop an application for designation of development projects  
25 as (~~industrial~~) projects of statewide significance. The application  
26 must be accompanied by a letter of approval from the legislative  
27 authority of any jurisdiction that will have the proposed  
28 (~~industrial~~) project of statewide significance within its boundaries.  
29 No designation of a project as (~~an industrial~~) a project of statewide  
30 significance shall be made without such letter of approval. The letter  
31 of approval must state that the jurisdiction joins in the request for  
32 the designation of the project as one of statewide significance and has  
33 or will hire the professional staff that will be required to expedite  
34 the processes necessary to the completion of (~~an industrial~~) a  
35 project of statewide significance. The application shall contain  
36 information regarding the location of the project, the applicant's  
37 average employment in the state for the prior year, estimated new

1 employment related to the project, estimated wages of employees related  
2 to the project, estimated time schedules for completion and operation,  
3 and other information required by the department; and

4 (b) Certify (~~that the~~) any project that meets or will meet the  
5 requirements of RCW 43.157.010 (~~regarding designation~~) as (~~an~~  
6 ~~industrial~~) a project of statewide significance.

7 (2) The office of (~~permit~~) regulatory assistance shall assign a  
8 project facilitator or coordinator to each (~~industrial~~) project of  
9 statewide significance to: (a) Assist in the scoping and coordinating  
10 functions provided for in chapter 43.42 RCW; (b) assemble a team of  
11 state and local government and private officials to help meet the  
12 planning, permitting, and development needs of each project, which team  
13 shall include those responsible for planning, permitting and licensing,  
14 infrastructure development, workforce development services including  
15 higher education, transportation services, and the provision of  
16 utilities; and (c) work with each team member to expedite their actions  
17 in furtherance of the project.

18 NEW SECTION. **Sec. 5.** This act is necessary for the immediate  
19 preservation of the public peace, health, or safety, or support of the  
20 state government and its existing public institutions, and takes effect  
21 immediately.

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