
ENGROSSED SUBSTITUTE SENATE BILL 5473

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~~) regulatory
6 assistance and the project managers of (~~industrial~~) projects of
7 statewide significance for expediting the completion of (~~industrial~~)
8 projects of statewide 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~~) regulatory assistance for the design and
19 construction of the 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 development project proponents
36 may provide the funding necessary for the jurisdiction to hire the
37 professional staff that will be required to so expedite. The

1 application shall contain information regarding the location of the
2 project, the applicant's average employment in the state for the prior
3 year, estimated new employment related to the project, estimated wages
4 of employees related to the project, estimated time schedules for
5 completion and operation, and other information required by the
6 department; and

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

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

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

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