
SENATE BILL 5111

State of Washington

64th Legislature

2015 Regular Session

By Senator Brown

Read first time 01/14/15. Referred to Committee on Trade & Economic Development.

1 AN ACT Relating to projects of statewide significance for
2 economic development and transportation; amending RCW 43.157.005,
3 43.157.020, and 43.157.030; and reenacting and amending RCW
4 43.157.010.

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

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

8 The legislature declares that certain private investments, such
9 as investments for industrial development, transportation,
10 environmental improvement, and innovation activities, merit special
11 designation (~~and treatment by governmental bodies when they are~~
12 ~~proposed~~) as projects of statewide significance. Such investments
13 bolster the economies of their locale and impact the economy of the
14 state as a whole. It is the intention of the legislature to recognize
15 projects of statewide significance, to provide a mechanism for local
16 governments and state and federal agencies to perform a coordinated
17 and comprehensive review of such projects, and to encourage (~~local~~
18 ~~governments and state agencies to expedite~~) their expeditious
19 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
5 90.58.100, 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
19 public 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
24 commercialization of innovations;

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

30 (v) An aviation biofuels production facility.

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

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

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

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

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

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

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

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

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

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

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

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

21 (I) In counties other than rural counties as defined by RCW
22 82.14.370, projected full-time employment positions after completion
23 of construction of (~~(one hundred)~~) seventy or greater; (~~(or)~~)

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

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

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

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

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

37 (IV) The project will provide a net environmental benefit as
38 evidenced by plans for design and construction under green building
39 standards or for the creation of renewable energy technology or
40 components or under other environmental criteria established by the

1 director in consultation with the director of the department of
2 ecology.

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

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

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

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

19 (1) Expedited permit processing for the design and construction
20 of the project;

21 (2) Expedited environmental review processing;

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

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

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

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

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

35 (a) Develop an application for designation of development
36 projects as projects of statewide significance. ~~((The application~~
37 ~~must be accompanied by a letter of approval from the legislative~~
38 ~~authority of any jurisdiction that will have the proposed project of~~

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

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

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

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

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

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

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

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

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