

Submitted By
Ed Barnes
10/4/2016

I-5 BRIDGE PROJECT SHOULD CARRY 'PROJECT OF STATEWIDE SIGNIFICANCE' DESIGNATION

The pending I-5 bridge project qualifies for, and should be designated by the State of Washington as a **project of Statewide Significance**. Such designation is designed to "expedite the development of industrial projects of statewide significance" and local governments having comprehensive plans may "develop a process to expedite the review, approval, permitting, and completion of **projects of statewide significance**."

In 1997, the Washington State legislature unanimously adopted this legislation that provided certain industrial investments as meriting special designation and treatment by government entities as government investments of Statewide Significance.

Specifically, under that legislation, it designated that border crossing projects, involving both private and public investments, carried out in conjunction with adjacent states or provinces, or a private industrial development with private capital investment in manufacturing or research and development qualify for this special designation.

Attached are materials that include letters from the governor, legislators and the legislative committee report when the legislation was passed. Industries like SEH-America and Wafer Tech were designated as industries of Statewide Significance by the Governor. The I-5 Bridge Replacement qualifies for that type of designation by the State of Washington. That I-5 Bridge Replacement project involves both private and public investments and involves the adjacent State of Oregon.

The existing bridge congestion is impacting the industries that have been designated as Industries of Statewide Significance and the economy of SW Washington and Portland Metropolitan Area. It is clearly time that Washington State designates the I-5 Bridge Replacement as a **project of Statewide Significance**.

In 1997 the Legislature adopted legislation that provided certain industrial investments meriting special designation and treatment by Government bodies as Government Investments of State-Wide Significance. Under that legislation it designated that border crossing projects that involves both private and public investments carried out in conjunction with adjacent states or provinces or a private industrial development with private capital investment in manufacturing or research and development.

The I-5 Bridge Project falls under that classification and should be designated by the State of Washington as a project of State Wide-Significance. I have attached material that includes letters from the Governor, legislators, and the legislative committee report when the legislation was passed.

You can see that it refers to the types of industries like SEH America and Wafer Tech that were designated as industries of State Wide Significance and Boarder Crossing Projects that involve both private and public investments plus project with adjacent states such as the State of Oregon. It is about time that our State should designate the I-5 bridge as a project of State Wide Significance.

GARY LOCKE
Governor



STATE OF WASHINGTON

OFFICE OF THE GOVERNOR

P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 753-6780 • TTY/TDD (360) 753-6466

March 21, 1997

Mr Robert Schaefer
Mr Robert Levin
CREDC
100 East Columbia Way
Vancouver, WA 98661

Dear Robert and Robert:

Thank you for your letter to emphasize your support for legislation to recognize the important contributions of large industrial investors in Washington state. I much appreciate the time you've taken during the past year to inform me about the Clark County economy and I appreciate receiving these comments.

The recent business investment cases you site- Intel Corporation, BHP Steel, SEH America, Ponderosa Fibres, Silicon Materials, and TSMC/WaferTech--are outstanding examples of public/private partnerships involving both the state and local levels of government. Such partnerships must continue if we are to have the vital and diverse economy, strong communities, and a clean and safe environment that are necessary to the overall quality of life that defines the Pacific Northwest.

Your letter also focuses on the need to make certain that state agencies continue their recent collaborative efforts. I appreciate the importance of this kind of cooperation and will make certain that it continues as a fundamental operating principle for state agencies.

As you are aware, several pieces of legislation dealing with investments of statewide significance currently are being considered by the Legislature. I will work with state agencies, the Legislature, and economic development entities like the Columbia River Economic Development Council to make certain the issues you raise are addressed in a timely and effective manner.

Thank you, again, for your letter. I hope you will continue to share your ideas and keep me informed about new economic-development opportunities in Clark County.

Sincerely,


Gary Locke
Governor



Washington State Legislature

January 29, 1998

Olympia

The Honorable Gary Locke
Legislative Building
Olympia, WA 98504

Re: Industries of Statewide Significance

Dear Governor Locke:

When I sponsored HB 2170 in 1997, hearings revolved around the intent being recognition of investments that have statewide significance and affect the overall economy of our state. Clark County has been blessed by having two such companies designated as Industries of Statewide Significance . . . SEH America and WaterTech. The size of these investments and the people they will be employing will make significant changes not only in Southwest Washington, but also in our state as a whole.

I felt that this legislation was following the intent of the legislature and the Governor by making sure we established special priority for projects that impact these investments and industries. The reason this was to inform industries that the state supported their investment and to encourage others to make such investments.

One reason that I used the mandatory language of "must" was to make sure that this special priority would be given to projects such as the 192nd interchange on State Route 14.

In the report by the House Committee on Trade and Economic Development to the legislature outlining the intent of this legislation, it quoted:

"The DCTED must assign an ombudsman to each industrial project of statewide significance. The DCTED ombudsman must assemble a team of state and local government and private officials to help meet the project's planning and development needs of each project. The members of the team include those with responsibility for planning, permitting and licensing, infrastructure development, work force development services, transportation services, and the provision of utilities. The Workforce Training and Education Coordinating Board must revise its comprehensive plan for work for training and education to address how a state's work force development system will meet employer hiring needs for industrial projects of

Post-It Fax Note	7671	Date	# of Pages
To	Bob Schwartz	From	
Co./Dept.		Co.	
Phone #		Phone #	693-1777
Fax #		Fax #	

statewide significance.

The Department of Ecology must revise its various planning documents to address how the department will expedite the completion of industrial projects of statewide significance. The DOE and appropriate local government must also include in the master programs, adopted under the Shorelines Management Act, an economic development element for the location and design of industrial projects of statewide significance.

The Washington State Department of Transportation, as part of its state transportation policy plan, must address how the department will meet the transportation needs and expedite the completion of industrial projects of statewide significance."

By passage of this legislation we have told these industries that we support their investments in our state. We have also conveyed to them that we will develop a special priority for projects and processes which have an affect on their investment. To do otherwise now would be contrary to this unanimously passed legislation. A special priority must be established for the 192nd interchange on SR 14 this session, otherwise we are not following the intent of the legislation. We also want to make sure that we are establishing a priority for processing applications and reviews by any of our state agencies affecting these investments.

Thank you for your assistance in this matter.

Sincerely,

John Pennington
Speaker Pro Tempore



Department of Commerce

Innovation in Commerce

Project of Statewide Significance Application

Applicant:

Project Title:

Short Description:

Project Executive	
Name:	
Title:	
Address:	
Address:	
City:	
State:	
Zip Code:	
Telephone Number:	
Email:	

Project Lead	
Name:	
Title:	

**Washington State Department of Commerce
Project of Statewide Significance Application**

Address:	
Address:	
City:	
State:	
Zip Code:	
Telephone Number:	
Email:	

Local Government Executive	
Name:	
Title:	
Address:	
Address:	
City:	
State:	Washington
Zip Code:	
Telephone Number:	
Email:	

Local Project Lead	
Name:	
Title:	
Address:	
Address:	
City:	
State:	Washington

**Washington State Department of Commerce
Project of Statewide Significance Application**

Zip Code:	
Telephone Number:	
Email:	

Project Address	
Address:	
Address:	
City:	
State:	Washington
Zip Code:	
Latitude:	
Longitude:	

Project Classification		
Primary	Secondary	
<input type="checkbox"/>	<input type="checkbox"/>	Border Crossing
<input type="checkbox"/>	<input type="checkbox"/>	Net Environmental Benefit
<input type="checkbox"/>	<input type="checkbox"/>	Commercialization of Innovation
<input type="checkbox"/>	<input type="checkbox"/>	Private Industrial Development
<input type="checkbox"/>	<input type="checkbox"/>	Aviation Biofuels Production

Project Description:

**Washington State Department of Commerce
Project of Statewide Significance Application**

Explanation of Classification:

Explanation of the Need to Expedite Project Permitting:

Anticipated Date of Completion of Construction:

Anticipated Date of Commencement of Operations:

		Anticipated Year of Realization
Applicant's Average In-State Employment for 2012		N/A
Total Construction Jobs		
Total Permanent Project Jobs		
Estimated Wages for Permanent Project Jobs		
Total Project Private Investment		

Washington State Department of Commerce Project of Statewide Significance Application

The application for designation as a Project of Statewide Significance must be accompanied by a letter of approval from each of the legislative bodies within the project area that have the authority to issue permits. The legislative body must also state that they have or will hire the staff needed to expedite the local permits.

In order to designate a Project of Statewide Significance, certain job and private investment thresholds must also be met. The following table defines these thresholds for each county.

County	Jobs Requirement	Investment Requirement	County	Jobs Requirement	Investment Requirement
Adams	50	\$5 million	Lewis	50	\$15 million
Asotin	50	\$10 million	Lincoln	50	\$5 million
Benton	50	\$30 million	Mason	50	\$15 million
Chelan	50	\$15 million	Okanogan	50	\$10 million
Clallam	50	\$15 million	Pacific	50	\$10 million
Clark	100	\$40 million	Pend Oreille	50	\$5 million
Columbia	50	\$5 million	Pierce	100	\$40 million
Cowlitz	50	\$30 million	San Juan	50	\$5 million
Douglas	50	\$10 million	Skagit	50	\$30 million
Ferry	50	\$5 million	Skamania	50	\$5 million
Franklin	50	\$15 million	Snohomish	100	\$40 million
Garfield	50	\$5 million	Spokane	100	\$40 million
Grant	50	\$15 million	Stevens	50	\$10 million
Grays Harbor	50	\$15 million	Thurston	100	\$30 million
Island	50	\$15 million	Wahkiakum	50	\$5 million
Jefferson	50	\$10 million	Walla Walla	50	\$15 million
King	100	\$50 million	Whatcom	50	\$30 million
Kitsap	100	\$30 million	Whitman	50	\$10 million
Kittitas	50	\$10 million	Yakima	50	\$30 million
Klickitat	50	\$10 million			

Chapter 130-30 WAC

Last Update: 9/26/13

PROJECTS OF STATEWIDE SIGNIFICANCE**WAC Sections**

130-30-010	Purpose.
130-30-020	Definitions.
130-30-030	Application.
130-30-040	Department deliberations.

130-30-010**Purpose.**

(1) The department of commerce may designate certain private sector investments as projects of statewide significance to expedite the permitting and environmental review process. These projects will bolster the economy at both the local and state levels.

(2) The purpose of this chapter is to prescribe the form and manner of the application to be used in requesting designation as a project of statewide significance.

[Statutory Authority: RCW 10.01.010. WSR 13-20-064, § 130-30-010, filed 9/26/13, effective 10/27/13.]

130-30-020**Definitions.**

Unless the context clearly requires otherwise, the definitions found in RCW 10.01.010 apply.

(1) "Standard contact information" shall mean a mailing address, telephone number, and e-mail address.

(2) "Jurisdiction" shall mean any local government with the authority to issue permits related to the construction of a project seeking designation as a project of statewide significance.

[Statutory Authority: RCW 10.01.010. WSR 13-20-064, § 130-30-020, filed 9/26/13, effective 10/27/13.]

130-30-030**Application.**

- (1) Applications shall be submitted to the department.
- (2) Applications shall be completed on forms prescribed by and obtained from the department.
- (3) The application will contain the following information:
 - (a) Standard contact information of the applicant requesting the designation;
 - (b) Standard contact information of all jurisdictions that will have the project of statewide significance within its boundaries;
 - (c) Selection of the category of project of statewide significance;
 - (d) A detailed description of the project that details, at least:
 - (i) The location of the project,
 - (ii) The applicant's average employment in the state for the prior year,
 - (iii) The estimated new employment related to the project,
 - (iv) The estimated wages of employees related to the project,
 - (v) The estimated level of private investment in the project,
 - (vi) The estimated time schedules for completion and operation,
 - (vii) A justification why the director of the department should qualify the project based on the criteria found in RCW 43.157.010 (5)(b)(iii)(J); and
 - (e) Explanation of the need to expedite the permitting and environmental review process.
- (4) The application shall be accompanied by letters of approval from the legislative of any jurisdiction that will have the proposed project of statewide significance within its boundaries as defined by RCW 43.157.030.

[Statutory Authority: RCW 43.157.030. WSR 13-20-064, § 130-30-030, filed 9/26/13, effective 10/27/13.]

130-30-040

Department deliberations.

- (1) The department will consider the application and make a determination whether the project is one of statewide significance within sixty days of the receipt of application.
- (2) The applicants will be notified in writing of the department's decision.

[Statutory Authority: RCW 43.157.030. WSR 13-20-064, § 130-30-040, filed 9/26/13, effective 10/27/13.]

Chapter 43.157 RCW**PROJECTS OF STATEWIDE SIGNIFICANCE****Sections**

43.157.005	Declaration.
43.157.010	Definitions.
43.157.020	Expediting completion of projects of statewide significance—Requirements of agreements.
43.157.030	Application for designation—Project facilitator or coordinator.

43.157.005**Declaration.**

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

[2009 c 421 § 1; 1997 c 369 § 1.]

NOTES:

Effective date—2009 c 421: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 8, 2009]." [2009 c 421 § 11.]

43.157.010**Definitions.**

The definitions in this section apply throughout this chapter and RCW 28A.525.166, * 28B.76.210, ** 28C.18.080, 43.21A.350, and 90.58.100, unless the context requires otherwise:

- (1) "Applicant" means a person applying to the department for designation of a development project as a project of statewide significance.
- (2) "Aviation biofuels production facility" means a facility primarily for the processing of nonfossil biogenic feedstocks to produce aviation fuels that meet the fuel quality technical standards of the American society for testing materials for aviation fuels and coproducts.
- (3) "Department" means the department of commerce.
- (4) "Manufacturing" shall have the meaning assigned it in RCW 82.62.010.
- (5)(a) "Project of statewide significance" means:

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

(ii) A development project that will provide a net environmental benefit;

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

(iv) A private industrial development with private capital investment in manufacturing or research and development; or

(v) An aviation biofuels production facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[2012 c 63 § 2. Prior: 2009 c 565 § 34; 2009 c 421 § 2; 2004 c 275 § 63; 2003 c 54 § 1; 1997 c 369 § 2.]

NOTES:

Reviser's note: *(1) RCW 28B.76.210 was recodified as RCW 28B.77.070 by 2012 c 229 § 904.

***(2) RCW 28C.18.080 was amended by 2009 c 151 § 7, deleting the phrase "projects of statewide significance."

(3) The definitions in this section have been alphabetized pursuant to RCW 1.08.015 (2)(k).

Findings—Intent—2014 c 174; 2012 c 63: "The legislature finds that Washington is becoming a leader in the development and commercialization of aviation biofuels due to its strong tradition of market innovation, a concentrated demand for sustainable aviation fuels, leading expertise and research capacity, an established aviation manufacturing sector, and the availability of a diverse range of feedstocks for the production of biofuels. The legislature also finds that the development of aviation biofuels has the potential to reduce dependence on foreign sources of fossil fuels, reduce greenhouse gas emissions, and promote economic development and jobs in Washington. The legislature intends to support the development of commercial-scale aviation biofuels production facilities in Washington by facilitating and streamlining the permitting process for new facilities and the expansion of existing facilities and by providing access to low-cost financing through the issuance of revenue bonds.

The legislature finds that the 2012 Washington state energy strategy calls for a targeted, strategic policy focus on sustainable aviation biofuels to encourage the realization of Washington's potential. The legislature also finds that a regional stakeholder effort to explore the opportunities and challenges surrounding the production of sustainable aviation fuels, known as sustainable aviation biofuels northwest, urged policymakers in the Northwest to develop supportive public policies that will jump start the industry, attract investment, and accelerate industry growth. In order to provide focus and develop policy recommendations to support the sustainable aviation biofuels sector in Washington, the legislature intends to establish a sustainable aviation biofuels work group." [2014 c 174 § 6; 2012 c 63 § 1.]

Effective date—2009 c 421: See note following RCW 43.157.005.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

43.157.020**Expediting completion of projects of statewide significance—Requirements of agreements.**

Counties and cities with development projects designated as projects of statewide significance within their jurisdictions shall enter into an agreement with the office of regulatory assistance and the project managers of projects of statewide significance for expediting the completion of projects of statewide significance. The agreement shall require:

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

- (2) Expedited environmental review processing;
- (3) Expedited processing of requests for street, right-of-way, or easement vacations necessary for the construction of the project;
- (4) Participation of local officials on the team assembled under the requirements of RCW 43.157.030(2)(b); and
- (5) Such other actions or items as are deemed necessary by the office of regulatory assistance for the design and construction of the project.

[2009 c 421 § 3; 2003 c 54 § 2; 1997 c 369 § 3.]

NOTES:

Effective date—2009 c 421: See note following RCW 43.157.005.

43.157.030

Application for designation—Project facilitator or coordinator.

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

(a) Develop an application for designation of development projects as projects of statewide significance. The application must be accompanied by a letter of approval from the legislative authority of any jurisdiction that will have the proposed project of statewide significance within its boundaries. No designation of a project as a project of statewide significance shall be made without such letter of approval. The letter of approval must state that the jurisdiction joins in the request for the designation of the project as one of statewide significance and has or will hire the professional staff that will be required to expedite the processes necessary to the completion of a project of statewide significance. The development project proponents may provide the funding necessary for the jurisdiction to hire the professional staff that will be required to so expedite. The application shall contain information regarding the location of the project, the applicant's average employment in the state for the prior year, estimated new employment related to the project, estimated wages of employees related to the project, estimated time schedules for completion and operation, and other information required by the department; and

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

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

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

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

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

(b) Assemble a team of state and local government and private officials to help meet the planning, permitting, and development needs of each project, which team shall include those

responsible for planning, permitting and licensing, infrastructure development, workforce development services including higher education, transportation services, and the provision of utilities; and

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

[2009 c 421 § 4; 2003 c 54 § 3; 1997 c 369 § 4.]

NOTES:

Reviser's note: *(1) The "department of community, trade, and economic development" was renamed the "department of commerce" by 2009 c 565.

** (2) RCW 43.162.020 was repealed by 2014 c 112 § 123.

Effective date—2009 c 421: See note following RCW 43.157.005.