
Capital Budget Committee

SSB 5748

Brief Description: Creating an account to support necessary infrastructure nearby military installations.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Conway, O'Ban, Frockt, Rolfes, Randall and Zeiger).

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Creates the defense community infrastructure account and specifies how grants to local governments from the account may be used to reduce development conflicts with military installations.

Hearing Date: 4/4/19

Staff: Steve Masse (786-7115).

Background:

The Growth Management Act. The Growth Management Act (GMA) is the comprehensive land-use planning framework for counties and cities in Washington. The GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. Under the GMA, local government comprehensive plans and development regulations are discouraged, but not prohibited, from allowing development in the vicinity of a military installation that is incompatible with the installation's mission requirements.

As part of the land use element, GMA planning jurisdictions containing or adjacent to certain federal military installations operated by the U.S. Department of Defense (DOD) must notify the commander of the military installation of an intent to amend comprehensive plans or development regulations to address lands adjacent to the military installation. This requirement does not apply to reserve centers or facilities employing fewer than 100 personnel. The purpose of this notification is to protect the land from incompatible development.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Joint Land Use Studies. The DOD implements a program to ensure community development and economic growth do not interfere with the military's ability to test and train. One facet of this program may include targeting a military installation for a joint land use study (JLUS), in coordination with state or local governments. A JLUS includes a strategic plan to ensure civilian growth and development are compatible with training, testing, and other military missions. State or local governments must apply to DOD to receive assistance in carrying out a JLUS.

The 2016 Supplemental Operating Budget directed the Department of Commerce (Commerce) to complete a study addressing best practices for avoiding incompatible development near military installations.

Base Realignment and Closure. Base Realignment and Closure (BRAC) is a process the DOD has used to reorganize its base structure to more efficiently and effectively support its forces, increase operational readiness, and facilitate new ways of accomplishing its mission. More than 350 installations have been closed in five BRAC rounds: 1988, 1991, 1993, 1995 and 2005. No BRAC commission process is ongoing or authorized.

Summary of Bill:

The defense community infrastructure account is created in the state treasury. Subject to the availability of funding, Commerce may award grants to local governments for:

- the acquisition of real property or real property interests to eliminate an existing incompatible use;
- projects to jointly assist in recovering or protecting endangered species dependent on military installation property for habitat;
- local infrastructure or facilities necessary to help a community accommodate an expanded military presence in their community;
- projects or programs to increase the availability of affordable housing to enlisted military personnel; and
- projects to retrofit existing uses to increase their compatibility with existing military operations.

Grants may only be awarded for projects prioritized by Commerce with committed matches of 100 percent in federal funds and 100 percent in local funds. Commerce will give priority to local governments whose applications are accompanied by expressed support of partners, including non-profit community or neighborhood based organizations, public development authorities, or federally recognized Indian tribes.

Commerce must produce a report with a prioritized list of projects to address incompatible developments near military installations by January 1, 2020, and every two years thereafter. Projects must be prioritized with consideration to:

- recommendations of the DOD BRAC, JLUS, or other federally initiated land use processes; and
- whether a branch of the U.S. Armed Forces has identified the project as increasing the viability of military installations.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.