

SB 5324 - H COMM AMD

By Committee on Capital Budget

ADOPTED 04/06/2023

1 Strike everything after the enacting clause and insert the
2 following:

3 **"Sec. 1.** RCW 43.330.515 and 2019 c 404 s 1 are each amended to
4 read as follows:

5 (1) The defense community compatibility account is created in the
6 state treasury. Revenues to the account consist of appropriations by
7 the legislature, private contributions, and all other sources
8 deposited in the account.

9 (2)(a) Expenditures from the account may only be used for grants
10 to local governments, federally recognized Indian tribes, or entities
11 who have entered into an agreement with a military installation in
12 the state under the United States department of defense readiness and
13 environmental protection integration program for purposes of the
14 programs established in subsection (3) of this section, including
15 administrative expenses. (~~Priority must be given for grant~~
16 ~~applications accompanied by express support from nonprofit community~~
17 ~~or neighborhood-based organizations, public development authorities,~~
18 ~~federally recognized Indian tribes in the state, or other community~~
19 ~~partners.)) Only the director or the director's designee((~~7~~)) may
20 authorize expenditures. In order for the director or the director's
21 designee to authorize an expenditure for the purpose identified in
22 subsection (3) of this section, both ((~~federal~~)) nonstate and
23 applicant funds must be committed to the same purposes or project as
24 the state expenditure.~~

25 (b) An applicant must submit an application to the department in
26 order to be eligible for funding under this subsection, and the
27 department may not expend money on a project for which an applicant
28 has not applied to the department to carry out the project.

29 (3)(a) The department may expend moneys from the account to
30 provide state funds for capital projects identified by applicants to
31 address incompatible development connected to Washington state

1 military installations. For purposes of this section, "incompatible
2 development" includes land development and military operations that
3 impact the economy, environment, or quality of life opportunities for
4 local communities.

5 (b) The department must evaluate and rank applications using
6 objective criteria such as a community cost-benefit analysis, must
7 consider recommendations from a citizens advisory commission
8 comprised of representatives of community stakeholders impacted by
9 military installations or their operations, must hold public hearings
10 at least ninety days prior to any funding decision, and may consider
11 the degree to which each project is compatible with the criteria
12 established in the United States department of defense's readiness
13 and environmental protection integration program. When ranking
14 applications, the department must give priority to grant
15 applications:

16 (i) That have secured federal or other nonstate funding for the
17 project;

18 (ii) That leverage a higher proportion of federal or other
19 nonstate funding;

20 (iii) In which the federal grant requires state match in a timely
21 manner; or

22 (iv) Accompanied by express support from nonprofit community or
23 neighborhood-based organizations, public development authorities,
24 federally recognized Indian tribes in the state, or other community
25 partners.

26 (c) Eligible projects may include:

27 (i) Acquisition of real property or real property interests to
28 eliminate an existing incompatible use;

29 (ii) Projects to jointly assist in the recovery or protection of
30 endangered species dependent on military installation property for
31 habitat;

32 (iii) Projects (~~or programs~~) to increase the availability of
33 housing affordable to enlisted military personnel and nonmilitary
34 residents in the local community;

35 (iv) Projects to retrofit existing uses to increase their
36 compatibility with existing or future military operations;

37 (v) Projects to enable local communities heavily dependent on a
38 nearby military installation to diversify the local economy so as to
39 reduce the economic dependence on the military base;

1 (vi) Projects that aid communities to replace jobs lost in the
2 event of a reduction of the military presence; and

3 (vii) Projects that improve or enhance aspects of the local
4 economy, environment, or quality of life impacted by the presence of
5 military activities.

6 (4) The department may adopt rules to implement this section.

7 **Sec. 2.** RCW 43.330.520 and 2021 c 332 s 7039 are each amended to
8 read as follows:

9 (1) The department must produce a biennial report identifying a
10 list of projects to address incompatible developments near military
11 installations.

12 (a) The list must include a description of each project, the
13 estimated cost of the project, the amount of recommended state
14 funding, and the amount of any federal or local funds documented to
15 be available to be used for the project.

16 (b) Projects on the list must be prioritized with consideration
17 given to:

18 (i) The recommendations of the recent United States department of
19 defense base realignment and closure (BRAC) processes, joint land use
20 studies, or other federally initiated land use processes; and

21 (ii) Whether a branch of the United States armed forces has
22 identified the project as increasing the viability of military
23 installations for current or future missions.

24 (c) The department may consult with the commanders of United
25 States military installations in Washington to understand impacts and
26 identify the viability of community identified projects to reduce
27 incompatibility.

28 (2) The department must submit the report to appropriate
29 committees of the house of representatives and the senate, including
30 the joint committee on veterans' and military affairs and the house
31 of representatives capital budget committee, by ~~((January 1, 2020))~~
32 November 1, 2024, and every two years thereafter.

33 ~~((3) For the 2021-2023 fiscal biennium, the department shall
34 develop the report in subsection (2) of this section by November 1,
35 2022, rather than by January 1, 2022.)) "~~

36 Correct the title.

EFFECT: (1) Moves language that priority must be given to grant applications accompanied by express support from nonprofit community or neighborhood-based organizations, public development authorities, federally recognized Indian tribes in the state, or other community partners to the subsection related to evaluating and ranking applications.

(2) Adds that priority must be given to grant applications that have secured federal or other nonstate funding for the project; that leverage a higher proportion of federal or other nonstate funding; and in which the federal grant requires state match in a timely manner.

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