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**SUBSTITUTE HOUSE BILL 1628**

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**State of Washington 66th Legislature 2019 Regular Session**

**By** House Housing, Community Development & Veterans (originally sponsored by Representatives Reeves, Kilduff, and Leavitt)

AN ACT Relating to creating an account to be used for purposes of supporting community efforts to reduce development conflicts with nearby military installations; and adding new sections to chapter 43.330 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.330 RCW to read as follows:

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

(2)(a) Expenditures from the account may only be used for grants to local governments or entities who have entered into an agreement with a military installation in the state under the United States department of defense readiness and environmental protection integration program for purposes of the programs established in subsections (3) and (4) of this section, including administrative expenses. Priority must be given for 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 partners. Only the director or the director's designee, may authorize expenditures. In order for the director or the director's designee to authorize an expenditure for either the purposes identified in subsection (3) or (4) of this section, both federal and applicant funds must be committed to the same purposes as the state expenditure.

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

(3)(a) The department may expend moneys from the account to provide state funds for projects identified by applicants to address incompatible development near military installations.

(b) The department must evaluate and rank applications using objective criteria, and must consider the degree to which project is compatible with the criteria established in the United States department of defense's readiness and environmental protection integration program.

(c) Eligible projects may include:

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

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

(iii) Local infrastructure or facilities necessary to help a community accommodate an expanded military presence in their community;

(iv) Projects or programs to increase the availability of housing affordable to enlisted military personnel in the local community; and

(v) Projects to retrofit existing uses to increase their compatibility with existing military operations.

(4) The department may expend moneys from the account to provide state funds for projects on the list submitted by the department consistent with section 2 of this act.

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

NEW SECTION. **Sec.**  A new section is added to chapter 43.330 RCW to read as follows:

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

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

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

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

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

(c) The department must consult with the commanders of United States military installations in Washington to identify eligible projects.

(2) The department must submit the report to appropriate committees of the house of representatives and the senate, including the joint committee on veterans' and military affairs, by January 1, 2020, and every two years thereafter.

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