

SENATE BILL REPORT

SB 6453

As of January 21, 2020

Title: An act relating to tackling climate change as a goal of the growth management act.

Brief Description: Tackling climate change as a goal of the growth management act.

Sponsors: Senators Salomon, Nguyen, McCoy, Lias, Keiser, Hunt, Wilson, C., Cleveland, Das, Hasegawa, Kuderer and Saldaña.

Brief History:

Committee Activity: Local Government: 1/21/20.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Adds a climate change goal to the planning goals of the Growth Management Act.
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SENATE COMMITTEE ON LOCAL GOVERNMENT

Staff: Greg Vogel (786-7413)

Background: Growth Management Act. The Growth Management Act (GMA) is the comprehensive land use planning framework for counties and cities in Washington. Originally enacted in 1990 and 1991, the GMA establishes land use designation and environmental protection requirements for all Washington counties and cities. The GMA also establishes a significantly wider array of planning duties for 29 counties, and the cities within those counties, obligated to satisfy all planning requirements of the GMA.

The GMA directs jurisdictions fully planning under the GMA to adopt internally consistent comprehensive land use plans that are generalized, coordinated land use policy statements of the governing body. Comprehensive plans are implemented through locally adopted development regulations, both of which are subject to review and revision requirements prescribed in the GMA.

The GMA establishes a series of planning goals to guide the development and adoption of comprehensive plans and development regulations of counties and cities required to, or that choose to, plan under the GMA.

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.

The GMA requires planning counties to adopt countywide planning policies. A countywide planning policy is a written policy statement used solely for establishing a countywide framework from which county and city comprehensive plans are developed and adopted. The policy must address certain issues, including policies for promoting orderly development and provision of urban services, for siting public capital facilities, and for joint county and city planning within urban growth areas.

Regional Transportation Planning Organizations. Regional transportation planning organizations (RTPOs) are voluntary associations of local governments within a county, or within geographically contiguous counties, created primarily to prepare regional transportation plans and to ensure local and regional coordination of transportation planning within counties. An RTPO can cover both urban and rural areas and receives state funding in support of its planning efforts.

Vehicle Miles Traveled Goals. In 2008, the Washington State Department of Transportation (WSDOT) was directed to adopt statewide goals to reduce annual per capita vehicle miles traveled by 18 percent in 2020, 30 percent by 2035, and 50 percent by 2050. WSDOT was also required to establish and convene a collaborative process to develop a set of tools and best practices to assist state, regional, and local entities to make progress towards these benchmarks. According to WSDOT's 2018 Biennial Transportation Attainment Report, statewide vehicle miles traveled on all Washington state roads reached a new high of 61.4 billion miles in 2017. This is an increase of 7.4 percent from 2013, which was from 57.2 billion miles.

Greenhouse Gas Reduction Limits. At the state level, greenhouse gases (GHG) are regulated by the Department of Ecology (Ecology) under the state Clean Air Act. In 2008, Washington enacted legislation setting a series of limits on the GHG emissions within the state. Ecology is responsible for monitoring and tracking the state's progress toward the emission limits.

Current law requires the state to limit GHG emissions for achieving overall reductions as follows:

- by 2020, to 1990 levels;
- by 2035, to 25 percent below 1990 levels; and
- by 2050, to 50 percent below 1990 levels, or 70 percent below the state's expected emissions for that year.

The 2008 legislation also required Ecology to consult with the climate impacts group at the University of Washington regarding the science on human-caused climate change and provide a report to the Legislature making recommendations regarding whether the GHG emissions reductions needed to be updated.

In December 2019, Ecology issued its most recent report on Washington State GHG emission reduction limits. The report recommended reducing overall GHG emissions in the state:

- by 2030, to 45 percent below 1990 levels;
- by 2040, to 70 percent below 1990 levels; and
- by 2050, to 95 percent below 1990 levels, and achieve net zero GHG emissions in the state.

According to Ecology's report, "carbon neutrality or net zero means that any remaining emissions would be offset by carbon capture processes that remove GHG from the atmosphere."

Summary of Bill: A climate change goal is added to the planning goals of the GMA. Under the goal, GMA planning jurisdictions must ensure that comprehensive plans, development regulations, and regional policies, plans, and strategies under countywide planning policies and regional transportation planning organizations:

- adapt to and mitigate the effects of a changing climate;
- support state GHG emission reduction requirements and state vehicle miles traveled goals;
- build resilient infrastructure; and
- nurture environmental, economic, and human health.

Appropriation: None.

Fiscal Note: Requested on January 17, 2020.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: These bills are born of both local government experience and a desire to do something about climate change. Increasing access to public transportation, housing density, and other changes to planning affect greenhouse gas emissions. This bill gives communities the tools to mitigate the effects of flooding, intermittent drought, and other natural hazards.

The purpose of the GMA is to protect our natural environment. At present, we face the biggest challenge ever, which is the effects of climate change. The transportation sector accounts for the largest emissions of greenhouse gases and land use is a predictor of what the transportation sector looks like.

CON: These bills do not meet the GMA requirements related to the rural economy and regional differences, or protect rural lands. For the agricultural sector, there is uncertainty about how the vehicles miles traveled goals and greenhouse gas emission reduction goals would apply. There is also concern with the appeals exemptions and the people's right to due process.

There are concerns with the additional requirements related to costs and permitting requirements. The requirements place a burden on local governments that are already overburdened with land use planning. The bills do not include all jurisdictions, since not every county is involved in growth management. Whatever needs to be done with regards to climate change involves all counties.

The GMA is not the best way to address climate change. There are already 14 coequal goals, which already fight with each other. Counties already argue about population assignments,

we can only imagine what fights about assigned greenhouse gas targets would look like. The GMA is supposed to allow for all types of housing and allow people to choose how they would like to live. These requirements would push only one type of housing—dense development

OTHER: There are a lot of complicated ideas with these proposals and how they would actually work on the ground. There are questions surrounding what ensure means and how jurisdictions would ensure goals are met. What do these requirements mean for growth outside of areas with no good transit access? It should be full burden response that falls on the rest of the state, including a commensurate approach by the state itself.

Climate change is a significant threat to the health and prosperity of the state, and the GMA has a place in mitigating the effects of climate change. Each community has a unique set of challenges and opportunities. Defining and implementing measures should be the first priority and the framework should allow flexible approach to adopting climate change goals.

Elevating climate change as a goal and element raises a lot of issues related to capacity, technical ability, and cost. Many jurisdictions lack the technical personnel to work on these issues. It is going to take significant financial resource and state support in order to do this planning. However, there has not been a strong history of state support for planning.

Persons Testifying: PRO: Senator Jesse Salomon, Prime Sponsor; Phyllis Farrell, League of Women Voters; Bryce Yadon, Futurewise.

CON: Tom Davis, Washington Farm Bureau; Jan Himebaugh, Building Industry Association of Washington.

OTHER: Carl Schroeder, Association of Washington Cities; Paul Jewell, Washington State Association of Counties; Rick Hughes, San Juan County Commissioner.

Persons Signed In To Testify But Not Testifying: No one.